



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Tuesday, September 5, 2023

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### **SPECIAL MEETING – CLOSED SESSION: 5:19 PM**

#### **1. CALL TO ORDER / ROLL CALL**

Present: Council Members Hansen-Romero, Jordan (arrived at 5:30 PM) and López, Vice Mayor Miki, Mayor Tiedemann

Absent: None

#### **2. CLOSED SESSION**

A summary of public comment is as follows: a request for the name of the incumbent Recreation & Community Services Director.

Mayor Tiedemann reported the current Assistant City Manager is also the Recreation & Community Services Director. She will continue to work for the City as Assistant City Manager.

##### **2-1. Public employee appointment or employment pursuant to Government Code Section 54957**

Position to be filled: Recreation & Community Services Director

A summary of public comment is as follows: inquiry regarding vacancy in position.

Mayor Tiedemann reported the current Assistant City Manager also serves as the Recreation & Community Services Director.

#### **3. ADJOURNMENT OF SPECIAL MEETING – CLOSED SESSION**

### **SPECIAL MEETING – OPEN SESSION: 6:00 PM**

#### **1. CALL TO ORDER / ROLL CALL**

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

Absent: None

#### **2. STUDY SESSION**

##### **2-1. Albany Hill Eucalyptus Project (CIP No. 41015) – Development of the Albany Hill Forest Management and Habitat Restoration Plan**

Staff Recommendation: That the Council:

1. Receive a presentation regarding the Albany Hill Eucalyptus Project
2. Provide feedback and direction on the Project



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Public Works Director Mark Hurley announced the kickoff of the Albany Hill Forest Management and Habitat Restoration Plan (Plan).

Natural Areas Coordinator Margot Cunningham presented the staff report. In 2020, staff noticed eucalyptus trees on Albany Hill turning brown. The City partnered with experts and other government agencies to assess the trees, fire hazards, and the monarch habitat. Reports revealed the poor health of most of the eucalyptus trees. Next, the City created the Albany Hill Eucalyptus Project (Project), sought funding, and selected a consultant team to develop a comprehensive plan for the eucalyptus trees and native plants and wildlife. The project team includes City staff, Restoration Design Group, Nomad Ecology, and Creekside Science. The Albany Hill Users Survey has received more than 500 responses and will be open until October 31, 2023. Most of the survey respondents support the Project and live in Albany and El Cerrito.

Erik Stromberg, Restoration Design Group, advised that the Plan focuses on City property located at the top of Albany Hill. Goals consist of minimizing hazards from falling trees and fire risk, providing monarch butterfly habitat, supplementing native plant communities, and creating self-sustaining ecosystems with low fire hazards and minimal maintenance requirements. The scope of the project is to distill existing information into an initial proposal, incorporate additional expert perspectives, educate and receive feedback from the public, verify that the Plan is consistent with the will of the public, and produce construction and maintenance plans. Project considerations include fire hazard, monarch habitat, habitat restoration, phasing, property ownership, and views from and of Albany Hill.

A summary of public comment is as follows: concerns about a monoculture of oak woodland and the spread of oxalis; questions regarding the number of eucalyptus trees to be removed and consideration of the theory that trees adapt to climate change; suggestions to build additional trails, remove poison oak, , and leave some fallen trees for birds or install nest boxes.

Mr. Stromberg indicated the number of eucalyptus trees to be removed has not been determined, but some will probably remain. Climate change is occurring faster than the existing trees can adapt to it. Poison oak grows well under eucalyptus trees and will remain on Albany Hill after the Plan is complete.

A summary of Council comment is as follows: managing fire risk goes hand-in-hand with maintaining ecological integrity; discussions of habitat restoration and ecology need to include indigenous and traditional knowledge of the area; appreciation for staff's outreach to indigenous cultures; a lower fire spread rate for the area from the crown to the residences on Taft Street would be beneficial; poison oak has a role on Albany Hill; a preference for planting native tree species rather than eucalyptus trees.

### 3. ADJOURNMENT OF SPECIAL MEETING – OPEN SESSION



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### **REGULAR MEETING: 7:00 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.

#### **2. ROLL CALL**

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

Absent: None

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

Mayor Tiedemann reported the Council unanimously appointed Sid Schoenfeld as the Recreation & Community Services Director.

#### **4. CEREMONIAL MATTERS**

##### **4-1. Proclamation - American Muslim Appreciation and Awareness Month**

Mayor Tiedemann presented the proclamation to Albany Unified School District (AUSD) Board of Education Trustee Sadia Khan and the family of Brother Belal Salih Esa.

##### **4-2. Proclamation – Hispanic Heritage Month**

Council Member López presented the proclamation to Cathy Anicama and members of Familia Latinas de Albany.

##### **4-3. Proclamation – National Senior Center Month**

Council Member Hansen-Romero presented the proclamation to Senior Center Supervisor Keenan McCarron and Julia and Zion Lee, Senior Center volunteer instructors.

#### **5. CITY MANAGER REPORT**

City Manager Nicole Almaguer reported a Town Hall regarding the Albany Twin closure will be held on October 5, 2023 at the Community Center. The City is partnering with StopWaste to host a one-day event for the drop-off of household hazardous waste on September 24, 2023. Albany residents can register for the event at [stopwaste.org/hhw-albany](http://stopwaste.org/hhw-albany). Albany's 115<sup>th</sup> Anniversary of Incorporation will be celebrated on September 20, 2023 with a concert in Memorial Park. Albany Fire and Police Departments will roll out the Leave Narcan Behind Program in September 2023 with training and supplies of Narcan. Requests for Narcan can be emailed to [naloxone@albanyca.org](mailto:naloxone@albanyca.org). A City Streetlighting Workshop is scheduled for September 19, 2023 at the Senior Center. Albany Local Week is September 18-24, 2023 ([albanyca.org/albanylocalweek](http://albanyca.org/albanylocalweek)). An article developed by the City's Economic Development has been published in *Berkeleyside* ([berkeleyside.org/2023/08/30/theres-plenty-to-savor-in-albany-these-days](http://berkeleyside.org/2023/08/30/theres-plenty-to-savor-in-albany-these-days)) and describes the features of Albany. The fall Stroll-ish and Solano Avenue Stroll will be held



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on September 9 and 10, 2023 respectively. Voting for Best of Albany 2023 is open through September 11, 2023. The Albany Community Triathlon will be held September 17, 2023 on and around Memorial Park. Coffee with a Cop events on August 9 and 30, 2023 were well attended, and the next event is scheduled for October 31, 2023 on the Ohlone Greenway.

A summary of public comment is as follows: a request for the name of the band performing at the City's anniversary celebration.

Mayor Tiedemann indicated the band will be Pride & Joy SF.

### 6. GOOD OF THE CITY/PUBLIC COMMENT

Mayor Tiedemann opened the Good of the City.

A summary of public comment is as follows: a request for a City ordinance prohibiting animal abuse; inquiry for more sober events in Albany; a request for enforcement of accessible parking spaces along Solano Avenue.

### 7. CONSENT CALENDAR

#### 7-1. Minutes – July 17, 2023

Staff Recommendation: Approve

#### 7-2. Ratification of Payroll

1. Date Paid 7/14/2023: Net Amount \$379,247.50, Taxes/Benefits/Deductions \$394,716.98, Total Payroll \$773,964.48
2. Date Paid 7/28/2023: Net Amount \$401,865.06, Taxes/Benefits/Deductions \$406,602.24, Total Payroll \$808,467.30
3. Date Paid 8/11/2023: Net Amount \$393,272.32, Taxes/Benefits/Deductions \$412,103.51, Total Payroll \$805,375.83
4. Date Paid 8/25/2023: Net Amount \$401,619.31, Taxes/Benefits/Deductions \$419,681.36, Total Payroll \$821,300.67

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 \$653,658.79 (7/14/2023), \$1,293,138.63 (7/21/2023), \$1,233,942.21 (7/28/2023), \$1,899,011.09 (8/4/2023), \$346,053.48 (8/11/2023), \$316,114.80 (8/18/2023), \$244,865.33 (8/25/2023)

Staff Recommendation: Ratify

#### 7-4. Updated Salary Schedule for City of Albany Employees



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Staff Recommendation: That the Council adopt Resolution No. 2023-60, approving an updated Salary Schedule for City employees

**7-5.** Contract with HortScience | Bartlett Consulting for a Street Tree Management Plan

Staff Recommendation: That the Council adopt Resolution No. 2023-61, authorizing the City Manager to execute Contract No. C23-64 with HortScience | Bartlett Consulting for a Street Tree Management Plan

**7-6.** Annual Street Rehabilitation Program (CIP No. 21000) – 2022 Pavement Rehabilitation Project (C22-30) Project Completion

Staff Recommendation: That the Council adopt Resolution No. 2023-62, authorizing the City Manager to:

1. Approve Contract Change Order #2 to Contract No. C22-30;
2. Accept the improvements completed in Contract No. C22-30; and
3. File the Notice of Completion with the County Recorder's Office

California Environmental Quality Act (CEQA): This project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 "Existing Facilities" of the CEQA Guidelines, which exempts the repair, maintenance, and minor alteration of streets, sidewalks, pedestrian crossings, and street trees

**7-7.** Arts Committee Public Art Projects Plan Funding Allocation

Arts Committee & Staff Recommendation: That the Council approve Resolution No. 2023-63, to allocate Art in Public Places Funds in an amount not-to-exceed \$160,750 for the creation of Public Art as outlined in the proposed 2023-2025 Public Art Project Plan

Mayor Tiedemann asked if anyone wished to remove items from the consent calendar. Council Member Jordan removed Item 7-4. A member of the public removed Items 7-2 and 7-4.

Item 7-4: Council Member Jordan thanked the members of Service Employees International Union (SEIU) Local 1021 for working for the City and serving Albany residents.

A summary of public comment is as follows: inquiries regarding salaries.

**MOTION:**

Moved by Council Member Jordan, seconded by Council Member Hansen-Romero, to approve the consent calendar.

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



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NOES: None

Motion carried and so ordered.

### 8. PRESENTATION

#### 8-1. Racial Inclusivity & Social Equity Commission Proposed Work Plan

Staff Recommendation: That the Council receive a presentation regarding the work plan developed by the Racial Inclusivity & Social Equity Commission and provide any comments or direction regarding the proposed work plan

City Clerk Anne Hsu presented the staff report. The proposed work plan outlines the areas on which the Racial Inclusivity & Social Equity Commission will focus.

RISE Commission Chair Akinyi Ajwang' presented the work plan including working on a citywide racial equity survey, recommendation towards implementation of the City's Housing Element, annual recommendation for sugar-sweetened beverage tax revenue, a City Equity Statement, City Racial Equity Office/Officer, and a read-along program.

A summary of public comment is as follows: Question concerning the contents and basis of the workplan.

A summary of Council comment is as follows: work plan items were driven by members of the former Social & Economic Justice Commission (SEJC) and the RISE Commission; support for a read-along program; .

#### **MOTION:**

Moved by Council Member Jordan, seconded by Council Member Hansen-Romero, to approve the proposed work plan for the Racial Inclusivity & Social Equity Commission.

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

NOES: None

Motion carried and so ordered.

### 9. PUBLIC HEARING

### 10. UNFINISHED BUSINESS

#### 10-1. Amendment to Council Reorganization Policy

Council Member Jordan & Vice Mayor Miki 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 one year from being appointed Vice Mayor for the next year



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Council Member Jordan presented the memorandum. One of the purposes of serving as Vice Mayor is to learn the role and duties of Mayor. The current reorganization policy allows a Council Member to serve as Vice Mayor when the Council Member will be termed out the following year. The proposed revisions to the reorganization policy would preclude this scenario from occurring.

Vice Mayor Miki proposed reordering and reformatting the reorganization policy to facilitate comprehension of its terms.

A summary of public comment is as follows: a suggestion to add a clause allowing the Mayor and Vice Mayor to serve a second year under special circumstances; opposition to the proposed revisions.

A summary of Council comment is as follows: as currently written, the reorganization policy orders the queue for Vice Mayor and Mayor based on the number of votes received in the election; a suggestion to replace “termed out” with “term limited” in subsections (d)(5) and (e); a clause for special circumstances is covered in subsection (d)(6); the proposal is intended to reflect the will of the voters and allow all Council Members to serve as Mayor and Vice Mayor; the proposal is justified until the Mayor is directly elected.

### **MOTION:**

Moved by Council Member Jordan, seconded by Council Member Hansen-Romero, to direct staff to prepare a resolution approving the proposed amendments to Section L-1 of the Council reorganization policy with “term limited” replacing “termed out” in subsections (d)(5) and (e).

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. Amendment No. 4 to the Employment Agreement for City Manager Services**

Staff Recommendation: That the Council adopt Resolution No. 2023-64, approving Amendment No. 4 to the Employment Agreement for City Manager Services

City Attorney Mala Subramanian presented the staff report. Amendment No. 4 to the Employment Agreement for City Manager Services proposes a base salary of \$266,279 effective July 1, 2023. The Council requested the amendment after a performance evaluation.

A summary of public comment is as follows: a request for the City Manager’s original salary.



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City Attorney Subramanian advised that the City Manager’s base salary under the original 2018 agreement was \$178,236..

A summary of Council comment is as follows: the City Manager position is not paid hourly, and the City Manager works more than 40 hours per week; the City is fortunate to have City Manager Almaguer,; the City Manager’s compensation is well below that paid in comparable cities; City Manager Almaguer has served the City well for many years, anticipates the City’s needs, and truly cares about the community; positions have not been lost to fund a compensation increase; a compensation increase communicates the Council’s evaluation of the City Manager’s performance.

**MOTION:**

Moved by Mayor Tiedemann, seconded by Vice Mayor Miki, to adopt Resolution No. 2023-64, approving Amendment No. 4 to the Employment Agreement for City Manager Services.

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**

<b>City Council Appointed Representation Bodies</b>	<b>Appointee</b>	<b>Alternate</b>
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





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Council Member Hansen-Romero noted the Council's receipt of an email listing upcoming StopWaste events.

Council Member Jordan reported he met with Rewiring America to share the City's approach to the utility user's tax (UUT). Rewiring American expressed interest in the approach and may include the approach in its policy guide for elected officials. In addition, he met with the Center for Independent Living regarding the City's approach to sidewalk maintenance, and they expressed interest in advocating it to other cities.

Mayor Tiedemann reported he attended the July meeting of the Police and Fire Pension Fund Board and several meetings regarding the Albany Twin.

Council Member López reported plans are underway for the Gill Tract farm harvest festival on October 29, 2023. The Alameda County Mosquito Abatement District will conduct adult mosquito operations, also known as fogging, in Livermore in response to detection of the West Nile Virus in mosquitos and birds. Operations may also occur in Fremont and Alameda.

Vice Mayor Miki reported he attended a League of California Cities meeting where he learned about the new State office for homelessness and he was appointed to the Board of Directors for the East Bay.

Council Member Jordan encouraged residents to eliminate standing water from their property because mosquitos breed in it.

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

Mayor Tiedemann reported Ms. McQuaid's report is attached to the agenda. HACA appointed a new Chair and Vice Chair and has filled all seats on the commission.

## **13. FUTURE AGENDA ITEMS**

Mayor Tiedemann reported he will present items regarding the Council appointment process and Council salary.

A summary of public comment is as follows: a suggestion to increase the City Clerk's compensation.

## **14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS**

Upcoming City Meetings

1. Financial Advisory Committee Meeting, Wednesday, September 6, 7:00 PM, City Hall Council Chambers



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2. Racial Inclusivity & Social Equity Commission Meeting, Thursday, September 7, 7:00 PM, City Hall Council Chambers
  3. Arts Committee Meeting, Monday, September 11, 7:00 PM, City Hall Council Chambers
  4. Parks, Recreation and Open Space Commission Meeting, Thursday, September 14, 7:00 PM, City Hall Council Chambers
  5. City Council Meeting, Monday, September 18, 7:00 PM, City Hall Council Chambers

### 15. ADJOURNMENT

8:51 PM There being no further business before the City Council, Mayor Tiedemann adjourned the meeting.

Minutes submitted by Anne Hsu, City Clerk.

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Aaron Tiedemann  
Mayor

Attest:

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Anne Hsu, City Clerk