



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Tuesday, January 16, 2024

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

Mayor Miki read a statement regarding acts of hate and violence.

Council Member 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 Tiedemann, Vice Mayor López, Mayor Miki

Absent: None

Mayor Miki announced that the Council would take up Item 7 prior to Item 6 and that Item 8 has been postponed to a future meeting.

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

4. CEREMONIAL MATTERS

5. CITY MANAGER REPORT

City Manager Nicole Almaguer reported staff has created a webpage (albanyca.org/storm) to share storm updates and issues. Safety enhancements to the intersections of Marin and Masonic Avenues and Solano and Masonic Avenues are complete.

A summary of public comment is as follows: the City needs to work on Washington Avenue between San Pablo and Masonic Avenues to prevent flooding.

7. CONSENT CALENDAR

7-1. Minutes – December 18, 2023

Staff Recommendation: Approve

7-2. Ratification of Payroll –

1. Date Paid 12/15/2023: Net Amount \$427,717.32, Taxes/Benefits/Deductions \$442,467.92, Total Payroll \$870,185.24

2. Date Paid 12/29/2023: Net Amount \$464,013.20, Taxes/Benefits/Deductions \$423,979.24, Total Payroll \$987,992.44

Staff Recommendation: Ratify



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- 7-3.** Ratification of Bills, Claims and Demands - Ratification of bills, claims and demands against the City of Albany in the amount of \$755,576 (12/15/2023), \$530,304.69 (12/22/2023), \$192,440.49 (1/5/2024)

Staff Recommendation: Ratify

- 7-4.** Advisory Body Status Update Reports

Staff Recommendation: For information only

- 7-5.** Memorandum of Understanding Between the City of Albany and Service Employees International Union, Local 1021

Staff Recommendation: That the Council adopt:

1. Resolution No. 2024-01, approving the Memorandum of Understanding (MOU) between the City of Albany and Service Employees International Union, Local 1021 (SEIU)
2. Resolution No. 2024-02, approving the Updated Salary Schedule for City Employees

- 7-6.** Request for Proposals for Development of New Active Transportation Plan

Staff Recommendation: That the Council receive the draft Request for Proposals for a new Active Transportation Plan

California Environmental Quality Act (CEQA):

The scope of work associated with the preparation of the Active Transportation Plan will include review for compliance with the requirements of the California Environmental Quality Act.

- 7-7.** Amendments to the Zoning Ordinance to Update Accessory Dwelling Unit Regulations – Second Reading, Pass-to-Print

Staff Recommendation: That the Council adopt Ordinance No. 2023-07, amending Chapter 20 of the Albany Municipal Code, Sections 20.08, 20.12, 20.16, 20.20, 20.24, 20.28, 20.40, 20.56, and 20.100 regarding Accessory Dwelling Unit Regulations – Second Reading, Pass-to-Print

California Environmental Quality Act (CEQA):

Consideration of the ordinance is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resource Code 21080.17 and CEQA Guidelines Section 15282(h), which provide that CEQA does not apply to the adoption of an ordinance implementing the provisions of Section 65852.1 (Accessory Dwelling Units) or Section 65852.2 (Junior Accessory Dwelling Units) of the California State Government Code.



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7-8. Resolution to Appoint Reina Schwartz, a CalPERS Retired Annuitant, as Interim Finance Director

Staff Recommendation: That the Council adopt Resolution No. 2024-03 appointing Reina Schwartz as Interim Finance Director

7-9. Albany Creeks & Open Space Maintenance and Restoration Program – Change Order #1, Contract No. C21-28

Staff Recommendation: That the Council adopt Resolution No. 2024-04, authorizing the City Manager to execute Change Order #1 for Contract No. C21-28 with Urban Tilth in the amount of \$106,666.99 for a total contract amount of \$400,318.92 for the Albany Creeks & Open Space Maintenance and Restoration Program, using funds from a Wildfire Resilience Grant from the State Coastal Conservancy, funds provided for Codornices Creek restoration maintenance as part of the Memorandum of Understanding (MOU) with the City of Berkeley and UC Berkeley, and funds previously appropriated as part of the Public Works operating budget

7-10. Annual Sidewalk Rehabilitation Program (CIP No. 22000) Phase 7 & Phase 8 – Contract No. C23-09 Closeout and Filing of Notice of Completion

Staff Recommendation: That the Council adopt Resolution No. 2024-05, authorizing the City Manager to:

1. Accept the improvements completed in Contract No. C23-09; and
2. File the Notice of Completion with the County Recorder's Office

7-11. Examination of Transaction (Sales) and Use Tax Records

Staff Recommendation: That the Council adopt Resolution No. 2024-06, authorizing the examination of Transactions (Sales) and Use Tax Records

7-12. Fire Department Vehicle Purchase

Staff Recommendation: That the Council adopt Resolution No. 2024-07:

1. Authorizing the City Manager to execute an agreement with Dublin Automotive Group to purchase one (1) 2024 Chevrolet Tahoe for the total price of \$71,178.95 including tax; and
2. Authorizing the use of Fire Equipment Reserve Fund 2204 in the amount of \$52,677.36

Mayor Miki asked if anyone wishes to remove items from the consent calendar. Council Member Jordan pulled Items 7-5, 7-6, 7-7, and 7-10.

Item 7-5: Council Member Jordan thanked members of Service Employees International Union Local 1021 for their work with the City.



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Item 7-7: Community Development Director Jeff Bond reported the Planning and Zoning Commission (PZC) felt a 20-foot maximum height for a detached accessory dwelling unit (ADU) would provide flexibility in designing and constructing a two-story ADU. The Council may wish to obtain the PZC’s opinion regarding a different maximum height.

Joanna Gin, City Attorney Office, advised that Ordinance No. 2023-07 is before the Council for second reading, and an amendment would return it to first reading of the Ordinance. Alternatively, the Council could postpone the second reading to a future meeting and obtain additional information prior to the second reading.

Item 7-10: Council Member Jordan appreciated staff’s work on sidewalk repairs and the increased pace of repairs.

A summary of Council comment is as follows: Ordinance No. 2023-07 as proposed is acceptable; pitched roofs are preferable to flat roofs; a suggestion for staff to work with the PZC to explore incentives for pitched roofs complementary to the community.

MOTION:

Moved by Council Member Jordan, seconded by Council Member Tiedemann, to amend the second sentence in the “Solano Avenue Complete Streets Study” section of Item 7-6’s Request for Proposals to read “During review of the draft study, reorganizing car parking to save space, allowing for wider sidewalks and an uphill (eastbound) motorist-separated cycling facility, was proposed.”

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

NOES: None

Motion carried and so ordered.

MOTION:

Moved by Council Member Jordan, seconded by Council Member Tiedemann, to approve the consent calendar.

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

NOES: None

Motion carried and so ordered.

6. GOOD OF THE CITY/PUBLIC COMMENT

Mayor Miki opened the Good of the City.

A summary of public comment is as follows: requests for the Council to pass a resolution supporting a cease fire between Israel and Hamas; the Council should not take a position regarding the conflict but focus on local issues; a request for the Council to promote respectful dialog; condemnation of hate speech and acts of violence in the community; support for Vice Mayor López; free food is available on Thursdays on Solano Avenue.



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8. PRESENTATION

8-1. Sidewalk Program Overview Presentation

9. PUBLIC HEARING

10. UNFINISHED BUSINESS

11. NEW BUSINESS

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 | Miki | López |
| Alameda County Transportation Commission | Jordan | Miki |
| Alameda County Waste Management Authority | Hansen-Romero | Jordan |
| Association of Bay Area Governments | Tiedemann | Jordan |
| East Bay Community Energy JPA Board | Tiedemann | López |
| East Bay Sports Field Recreational Authority JPA | Hansen-Romero | Miki |
| 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 | Miki | |
| Alameda County Paratransit Advisory & Planning Committee (PAPCO) | (vacant) | N/A |

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

Council Member Tiedemann reported he attended an Association of Bay Area Governments (ABAG) Legislative Committee meeting, where they received updates regarding the Governor's proposed budget and legislation for transportation funding.

Council Member Jordan reported he attended meetings of the Alameda County Library Advisory Commission and the Alameda County Transportation Commission (ACTC) Programs, Policy and Legislative Committee.

Vice Mayor López reported he attended the Gill Tract Farm winter solstice party and will ride along with an Alameda County Mosquito Abatement District employee to learn about services and calls in Albany.

Mayor Miki reported he attended the Mayors' Conference, where they toured the Gillig Bus plant and received a presentation from the East Bay Regional Park District.



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13. FUTURE AGENDA ITEMS

Mayor Miki requested an item regarding a Vision Zero policy.

A summary of public comment is as follows: a request for a list of available residences on the City's website.

14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

Upcoming City Meetings

1. Climate Action Committee Meeting, Wednesday, January 17, 7:00 PM, City Hall Council Chambers
2. Policing Commission Meeting, Thursday, January 18, 7:00 PM, City Hall Council Chambers
3. Police and Fire Pension Board Meeting, Tuesday, January 23, 3:00 PM, City Hall Council Chambers
4. Planning & Zoning Commission Meeting, Wednesday, January 24, 7:00 PM, City Hall Council Chambers
5. Transportation Commission Meeting, Thursday, January 25, 7:00 PM, City Hall Council Chambers
6. City Council Meeting, Monday, February 5, 7:00 PM, City Hall Council Chambers

15. ADJOURNMENT

9:51 PM There being no further business before the City Council, Mayor Miki adjourned the meeting with contact information for help with emotional distress.

Minutes submitted by Anne Hsu, City Clerk.

John Miki
Mayor

Attest:

Anne Hsu, City Clerk