



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, February 5, 2024

SPECIAL MEETING – CLOSED SESSION: 6:30 PM

1. CALL TO ORDER/ROLL CALL

Present: Council Members Hansen-Romero (arrived at 6:40 PM), and Tiedemann, Vice Mayor López, Mayor Miki

Recused: Council Member Jordan

City Attorney Mala Subramanian advised that Council Member Jordan is recused from the item because he owns real property located within 500 feet of the subject property.

2. CLOSED SESSION

2-1. Conference with Legal Counsel – Anticipated Litigation

Initiation of Litigation pursuant to Gov. Code Section 54956.9(d)(4) – (1 case)

ADJOURNMENT OF SPECIAL MEETING – CLOSED SESSION

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

Vice Mayor López 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

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

City Attorney Mala Subramanian announced the Council unanimously voted (4-0, Council Member Jordan recused) to initiate litigation regarding 1126 Brighton Avenue as a Code enforcement matter.

4. CEREMONIAL MATTERS

5. CITY MANAGER REPORT

City Manager Nicole Almaguer reported minor localized flooding and downed tree branches were caused by the storm over the weekend. A meeting of Lower Codornices Creek stakeholders to discuss restoration and usage of creek ways is scheduled for February 7, 2024, at UC Village. The Senior Center will host a paratransit workshop on February 23, 2024 to obtain feedback regarding services. American Association of Retired Persons (AARP) volunteers will be at the Senior Center on Thursdays from February 9 to April 11, 2024 to assist with preparation of basic tax returns. Appointments



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are required and can be obtained by contacting the Senior Center. Registration is open for seasonal camps scheduled for February 20-23, 2024. A tennis court at Memorial Park can be used as a flex volleyball court on a first-come-first-served basis or with a reservation. The Friends of Albany Seniors will host a pancake breakfast prepared by the Albany Fire Department on February 10, 2024, at the Senior Center. Vote-by-mail ballots for the primary election will be mailed soon and may be returned to the 24-Hour Drop Box at City Hall or the Drop Stop Events at the Community Center on February 13 and 14, 2024.

6. GOOD OF THE CITY/PUBLIC COMMENT

Mayor Miki opened the Good of the City.

A summary of public comment is as follows: concerns about an addition under construction at 510 San Carlos Avenue; support for the Council to approve a resolution supporting a cease fire in Gaza.

Community Development Director Jeff Bond reported staff would contact the public speaker regarding 510 San Carlos Avenue.

7. CONSENT CALENDAR

7-1. Minutes – January 16, 2024

Staff Recommendation: Approve

7-2. Ratification of Payroll

1. Date Paid 1/12/2024: Net Amount \$394,962.58, Taxes/Benefits/Deductions \$428,500.24, Total Payroll \$823,462.82
2. Date Paid 1/26/24: Net Amount \$399,936.94, Taxes/Benefits/Deductions \$433,894.53, Total Payroll \$833,831.47

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 \$719,011.18 (1/12/2024), \$397,716.81 (1/19/2023), \$349,142.46 (1/26/2024)

Staff Recommendation: Ratify

7-4. Advisory Body Resignation:

- Nori Hudson appointed by Vice Mayor López resigned from the Planning & Zoning Commission

Staff Recommendation: Information item



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- 7-5. Request for a Temporary Street Closure for the “Bohème Out of the Box” Event Hosted by San Francisco Opera and Albany Recreation & Community Services Department

Staff Recommendation: That the Council adopt Resolution No. 2024-08 approving a temporary street closure for the “Bohème Out of the Box” event on June 27, 2024

- 7-6. Request for Encroachment Permit for a Temporary Street Closure for the Albany Move'n'Groove Event on April 14, 2024 and Request for Waiver of Permit Fees for This Event

Staff Recommendation: That the Council adopt Resolution No. 2024-09:

1. Authorizing staff to issue an encroachment permit for a temporary street closure for the Albany Move'n'Groove event on April 14, 2024; and
2. Waive the permit fees for this event

- 7-7. Masonic Intersections (Ohlone Trail Safety Improvements) Project (CIP No. 25007) Contract No. C21-65 Closeout, Final Contract Change Order, and Filing of Notice of Completion

Staff Recommendation: That Council adopt resolution No. 2024-10, authorizing the City Manager to:

1. Accept the improvements completed in Contract No. C21-65; and
2. File the Notice of Completion with the County Recorder’s Office

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

This project is categorically exempt from CEQA (California Environmental Quality Act) 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.

Mayor Miki asked if anyone wished to remove items from the consent calendar. Council Member Jordan removed Item 7-7.

Item 7-7: Council Member Jordan appreciated staff completing the project within the budgeted and contingency amounts.

MOTION:

Moved by Council Member Tiedemann, seconded by Council Member Jordan, 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.



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8. PRESENTATION

8-1. Annual Sidewalk Rehabilitation Program (CIP No. 22000) 2024 Program Status Update & Milestones

Staff Recommendation: That the Council receive a presentation on accomplishments made in repairing City sidewalks with the Annual Sidewalk Rehabilitation Program (CIP No. 22000)

Associate Engineer James Cirelli presented the staff report. In 2016, voters approved Measure P1, a parcel tax to fund sidewalk repairs and replacement. In Phases 1-3, repairs focused on the Priority Sidewalk Network from the Active Transportation Plan (ATP). In Phase 4, Beneficial Designs conducted a sidewalk survey that shifted the focus to critical repairs throughout the City. Phase 8 saw the completion of critical repairs at all but 14 locations and the installation of some curb ramps. Street trees were the primary cause of damage to sidewalks, but only five street trees were removed during repairs. The City's Urban Forester reviewed conflicts between repairs and street trees, and staff followed his recommendations. During Phases 1-8, 404 locations were repaired at a cost of \$1.34 million.

Innovation within the program involves more integrated approach to repair work at times including sidewalk, curb, gutter, and asphalt repairs; bulbouts; two curb ramps; storm drain inlets; new storm drainpipe; a ramp and landing; and a retaining curb. Staff has also implemented a pilot curb-and-gutter passthrough bulbout at two locations to allow drainage to flow in the desired direction and to create space for roots to grow without damaging the roadway or curb. Staff will monitor the pilot bulbouts for performance and maintenance.

A summary of Council comment is as follows: an inquiry to the straightening of curb after tree is removed from a bulbout; concern for tripping hazard on sidewalks; inquiries of the remaining sidewalk work; appreciation for staff's work in the sidewalk accomplishments and possible opportunities to combine programs like with trees and sidewalks working through the Active Transportation Plan.

9. PUBLIC HEARING

10. UNFINISHED BUSINESS

10-1. Citywide Streetlighting Evaluation (CIP No. 25008) Contract No. C23-21 Evaluation Recommendations

Staff Recommendation: That Council adopt Resolution No. 2024-11, accepting the streetlighting guidelines and near-term lighting recommendation included in the Citywide Streetlighting Evaluation project



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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The project is Categorical 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 streetlighting with negligible expansion of use.

Associate Engineer James Cirelli presented the staff report.

Dane Sanders, Clanton & Associates, presented information regarding the street light analysis work conducted to date. Lighting goals and considerations include visibility, safety and security, design aesthetics, cost, maintenance, energy, light pollution and trespass, and the environment and wildlife. Community feedback revealed concerns regarding improving lighting for pedestrians and cyclists, light color, overlighting, and underlighting. The recommended color temperature of 2700K, warm white, is similar to pre-LED incandescent lighting and within the State’s standards.

Maps of the Priority Sidewalk Network, bikeways, and collision data helped determine the best use of funding for streetlighting projects. Proposed streetlighting improvements prioritize intersections for critical safety first, intersections near schools second, and intersections along bikeways and priority sidewalks third. Additional lighting is proposed near schools and along bikeways and priority sidewalks. Additional shielding and different luminaires will reduce light trespass and improve lighting. Some areas require more comprehensive streetscape design. The priority matrix provides a framework for funding and planning future projects.

A summary of Council comment is as follows: a recommendation to review the list of tree interference locations; a suggestion to list Replace Failing LED & Remaining HPS Street Lighting first in the Improvement Categories and to bring the related page forward in the report.

MOTION:

Moved by Council Member Jordan, seconded by Council Member Tiedemann, to adopt Resolution No. 2024-11, accepting the streetlighting guidelines and near-term lighting recommendation included in the Citywide Streetlighting Evaluation project with revisions to the report to list Replace Failing LED & Remaining HPS Street Lighting first on page 16 and to move page 21 to follow page 16.

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

NOES: None

Motion carried and so ordered.

10-2. Heat Pump Rebate Program

Staff Recommendation: That the Council approve to amend the heat pump HVAC (heating, ventilation, and air conditioning) rebate program budget to provide an additional \$75,000 in funding and increase the rebate amounts for ducted heat



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pumps to \$3,000 for moderate-income households and \$6,000 for low-income households

Climate Action Committee Recommendation: Amend the heat pump HVAC (heating, ventilation, and air conditioning) rebate program budget to provide an additional \$75,000 in funding and increase the rebate amounts for ducted heat pumps to \$3,000 for moderate-income households and \$6,000 for low-income households

Community Development Analyst Michelle Plouse presented the staff report. The rebate program is designed to incentivize installation of heat pump heating, ventilation, and air conditioning (HVAC) systems and is part of the Climate Action and Adaptation Plan (CAAP) electrification goals. The program was created in March 2022 with a \$40,000 budget. In February 2023, the Council added \$65,000 to the budget and modified several rebate amounts. In the spring of 2023, staff learned that the Internal Revenue Service (IRS) considers rebates over \$600 taxable income.

Since its inception, the program has paid or reserved 65 rebates, including two for low-income households and four for moderate-income households. The rebate amount averaged \$1,375 and ranged from \$500 to \$5,000. The program's budget currently contains \$15,750. Since the program began, the number of permits for heat pump HVAC systems has increased while the number of permits for gas furnaces has decreased. Staff estimates an additional \$75,000 would extend the rebate program to the summer or fall of 2024, at which time a rebate program under the High Efficiency Electric Home Rebate Act (HEEHRA) is expected to launch. The HEEHRA program will effectively eliminate the incremental cost of a heat pump in most cases. The additional \$75,000 can be drawn from the Community Development Department's approved budget. Once HEEHRA program launches, the Council can consider whether to extend, change, or end the City program at that time.

A summary of Council comment is as follows: a preference for the \$75,000 to be funded from the Climate Reserve Fund when monies are available; the Council's 2023 modification of rebate amounts appears to have been effective; appreciation for staff's efforts to increase the participation of low- and moderate-income households; with respect to greenhouse gas reduction, the program has been cost effective; suggestions for additional outreach.

MOTION:

Moved by Council Member Tiedemann, seconded by Council Member Hansen-Romero, to approve an amendment to the heat pump HVAC (heating, ventilation, and air conditioning) rebate program budget to provide an additional \$75,000 in funding and increase the rebate amounts for ducted heat pumps to \$3,000 for moderate-income households and \$6,000 for low-income households.

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

NOES: None



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Motion carried and so ordered.

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

City Clerk Anne Hsu presented the staff report. Per City Charter Section 9.01, alternates may serve for a period of up to one year unless appointed again. Staff recommends the Council select a Council Member to serve as Mayor Miki’s alternate and re-appoint alternates as recommended.

MOTION:

Moved by Council Member Tiedemann, seconded by Council Member Hansen-Romero, to appoint Council Member Tiedemann as Mayor Miki’s alternate and the remaining alternates as recommended by staff.

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

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	Miki	López
Alameda County Transportation Commission	Jordan	Miki
Alameda County Waste Management Authority	Hansen-Romero	Jordan
Association of Bay Area Government	Tiedemann	Jordan
Ava 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



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Council Member Tiedemann reported he attended a meeting of the Ava Community Energy Joint Powers Authority (JPA) Board of Directors, where they discussed a budget surplus and passed a workplace and environmental justice framework.

Vice Mayor López reported he toured Albany with an Alameda County Mosquito Abatement District employee, during which he noted locations for investigation and learned about methods to mitigate mosquito presence. He also met with Alameda County Supervisor Keith Carson to discuss opportunities for the City and participated in the point-in-time count for unhoused persons.

Council Member Jordan reported he attended the Alameda County Transportation Commission (ACTC) meeting, where they revised three projects listed in the Transportation Expenditure Plan.

Mayor Miki reported he and Community Development Director Bond presented information about Golden Gate Fields to three college classes.

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

Mayor Miki reported that Ms. McQuaid's report is attached to the agenda.

13. FUTURE AGENDA ITEMS

Council Member Jordan requested a discussion with the City Attorney regarding amending the City Charter's bond language.

14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

Upcoming Holiday: Presidents' Day – Monday, February 19, 2024 (City Offices Closed)

Upcoming City Meetings

1. Racial Inclusivity & Social Equity Commission Meeting, Tuesday, February 6, 7:00 PM, City Hall Council Chambers
2. Parks, Recreation and Open Space Commission Meeting, Thursday, February 8, 7:00 PM, City Hall Council Chambers
3. Arts Committee Meeting, Monday, February 12, 7:00 PM, City Hall Council Chambers
4. Policing Commission Meeting, Thursday, February 15, 7:00 PM, City Hall Council Chambers
5. City Council Meeting, Tuesday, February 20, 7:00 PM, City Hall Council Chambers



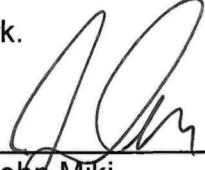
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15. ADJOURNMENT


9:17 PM There being no further business before the City Council, Mayor Miki adjourned the meeting with contact information for crisis intervention.

Minutes submitted by Anne Hsu, City Clerk.



John Miki
Mayor

Attest:



Anne Hsu, City Clerk