



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, April 1, 2024

---

### **REGULAR MEETING: 7:00 PM**

#### **1. CALL TO ORDER / LAND ACKNOWLEDGEMENT**

Mayor Miki 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**

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

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

Assistant City Manager Isabelle Leduc reported the Albany Community Expo will be held on April 27, 2024 at the Community Center. More information is available on the City website ([albanyca.org](http://albanyca.org)). The Albany Citywide Garage Sale is scheduled for May 4, 2024, and registration ends April 19, 2024. The community survey regarding the Forest Management and Habitat Restoration Plan for Albany Hill will close on April 30, 2024. The Annual Sidewalk Repair Program has begun in Zone 4. Albany Move 'n' Groove will be held on April 14, 2024, and include a 5K walk/run/stroll and music festival. Details are available at [movengroove.org](http://movengroove.org). Enrollment for Community Emergency Response Team (CERT) training is underway at [readyalbany.org](http://readyalbany.org), and classes begin April 16, 2024.

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

Mayor Miki opened the Good of the City.

A summary of public comment is as follows: appreciation for the Council on addressing issues of the Israel and Palestine conflict and the cross on Albany Hill; inquiry on speed limit in school zones; a request for an ordinance on climate emergency declaration and work with the Climate Action Committee (CAC) on electrification of the Community Center; an inquiry on community notification process for development projects; a request for a tree protection ordinance.

Council Member Jordan advised that pending legislation would establish a 20-miles-per-hour speed limit around all schools in California. .

#### **7. CONSENT CALENDAR**

7-1. Minutes – March 18, 2024

Staff Recommendation: Approve



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, April 1, 2024

- 
- 7-2.** Ratification of Payroll – Date Paid 3/22/2024: Net Amount \$446,503.28, Taxes/Benefits/Deductions \$492,609.84, Total Payroll \$939,113.12

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 \$953,440.92 (3/15/2024), \$110,785.46 (3/22/2024)

Staff Recommendation: Ratify

- 7-4.** Letter of Support – AB 2346

Mayor Miki Recommendation: That the Council note and file the letter as submitted

- 7-5.** FY 2024-2025 Paratransit Program Plan Application

Staff Recommendation: That the Council adopt Resolution No. 2024-17, authorizing the submission of the FY 2024-25 Paratransit Program Plan Application in the amount of \$94,054.83 to the Alameda County Transportation Commission (Alameda City Council) for the continued implementation of the City's Paratransit Program

- 7-6.** Battery-Powered Landscaping Equipment Purchase – Request for Funding Appropriation from Public Works Reserve (Fund 2210)

Staff Recommendation: That Council adopt Resolution No. 2024-18, appropriating \$25,000 from the Public Works Reserve (Fund 2210) toward the purchase of battery-powered landscaping equipment

- 7-7.** CIP No. 41016/41017: Prop 68 Parks Improvements – Appropriation of Additional Funds for Ocean View Park Pickleball Court Conversion

Staff Recommendation: That the Council adopt Resolution No. 2024-19, authorizing the appropriation of \$45,000 in matching funds from available fund balance in Measure M – Parks & Open Space Parcel Tax (2018) for the installation of the Project

- 7-8.** Establishment of CIP Project No. 25015, Authorization for Professional Services Contracts with Zoon Engineering and BKF Engineering for Jackson Street Bikeway Design, and Appropriation of Allocated Alameda County Transportation Commission (Alameda City Council) Funds

Staff Recommendation: That the Council adopt Resolution No. 2024-20:



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, April 1, 2024

1. Establishing CIP Project No. 25015 for the Jackson Street Bikeway Project in University Village on Jackson Street from Buchanan Avenue to the City Limits at 8<sup>th</sup> Street; and
2. Authorizing the City Manager to execute Contract No. C24-15 with BKF Engineers for detailed design services in the amount of \$300,000; and
3. Authorizing the City Manager to execute Contract No. C24-16 with Zoon Engineering for project management services in the amount of \$100,000; and
4. Appropriating \$900,000 in Alameda City Council Measure BB and VRF funds allocated to Albany for pre-construction on the project.

### ENVIRONMENTAL CLEARANCE

The proposed project is expected to be determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Documentation of environmental clearance will be part of the work to prepare the project for construction.

Mayor Miki asked if anyone wishes to remove items from the consent calendar. Council Member Jordan removed Items 7-6 and 7-8.

Item 7-6: Council Member Jordan appreciated staff's efforts to find and purchase battery-operated equipment appropriate for the Public Works Department's needs.

Item 7-8: Transportation & Sustainability Manager Justin Fried explained that staff requested more funds than the total of the two contracts because additional work may be needed. The Memorandum of Understanding with the Alameda County Transportation Commission (Alameda CTC) pertains to the pre-construction phase of the project.

A summary of public comment is as follows: Albany Unified School District (AUSD) supports the Jackson Street Bikeway Project and requests input into project design.

A summary of Council comment is as follows: staff may wish to supply design drawings for the Bikeway Project to AUSD for its comments; pedestrians may use the sidewalk on the west side of Jackson Street; support for installation of a speed table at the crosswalk south of Ocean View Elementary.

### **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.

## **8. PRESENTATION**

## **9. PUBLIC HEARING**



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, April 1, 2024

---

### 10. UNFINISHED BUSINESS

### 11. NEW BUSINESS

#### 11-1. Equal Pay Ordinance

Vice Mayor López Recommendation: That the Council direct staff to prepare an Equal Pay Ordinance that codifies pay parity across genders for contractors/vendors conducting business in the City of Albany. Moreover, it is recommended that an Equal Pay Ordinance for the City of Albany gives the City the ability to terminate the contract of any business in violation

Vice Mayor López presented the memorandum for an ordinance to require City contractors to provide equal pay to their employees regardless of gender, race, or ethnicity. This is an opportunity for the City to lead the way in Alameda County.

A summary of public comment is as follows: support for an ordinance.

A summary of Council comment is as follows: a suggestion for staff to monitor the impact of such an ordinance on responses to Requests for Proposals (RFP).

#### **MOTION:**

Moved by Vice Mayor López, seconded by Council Member Hansen-Romero, to direct staff to prepare an Equal Pay Ordinance that codifies pay parity across genders for contractors/vendors conducting business in the City of Albany, and to recommend that an Equal Pay Ordinance give the City the ability to terminate the contract of any business in violation of the ordinance.

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

NOES: None

Motion carried and so ordered.

#### 11-2. Override City Officer Bonding Requirement via the Charter

Council Member Jordan Recommendation: That the Council direct staff to prepare a ballot measure replacing Charter section 3.03, which requires each City officer to post a bond prior to the start of work, with a section affirmatively stating bonds are not required, overriding California's Government Code

Council Member Jordan presented the memorandum. Charter section 3.03 requires the Council to determine which City officers shall post bonds as a condition of serving in their positions. The Albany Municipal Code does not appear to contain the same or a similar provision. The requirement does not seem to be common practice for cities. If Charter section 3.03 were rescinded, California Government Code section 36518 would require bonds from the City Clerk and the City Treasurer.



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, April 1, 2024

---

### **MOTION:**

Moved by Council Member Jordan, seconded by Mayor Miki, to direct staff to prepare a ballot measure replacing Charter section 3.03, which requires each City officer to post a bond prior to the start of work, with a section affirmatively stating bonds are not required, overriding California's Government Code.

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

NOES: None

Motion carried and so ordered.

### **11-3. Removing Bonding for Schools by City from the Charter**

Council Member Jordan Recommendation: That the Council direct staff to prepare a ballot measure amending Charter section 4.07 to remove reference to using City bonding capacity for school projects

Council Member Jordan presented the memorandum. In discussions in 2023, staff advised that bonds issued by AUSD count against the City's debt limit for bonds. In October 2023, the Council reviewed potential revenue measures, including bonds, and learned that the amount of AUSD's current bonds severely reduced the City's debt limit. Investigation of the issue revealed that AUSD has its own debt limit, and the amount of AUSD's bonds do not affect the City's debt limit. Charter section 4.07 appears to be the source of the confusion. To eliminate future confusion, Charter section 4.07 may be amended.

City Attorney Mala Subramaniam reported Government Code section 43605 sets a city's debt limit at 15% of the assessed valuation of properties in the city. When the section was enacted, assessed valuations were based on 25% of full market value. Thus, the debt limit is one-fourth of 15% or 3.75%. Currently, assessed valuations are based on 100% of full market value. Staff recommends amending Charter section 4.07 to replace 15% with "legal limitations."

A summary of Council comment is as follows: a request for clarification of the issues of concern; a suggestion to retain flexibility for future funding scenarios and bonding across the two agencies should a mutual item of interest arise.

### **MOTION:**

Moved by Council Member Jordan, seconded by Council Member Tiedemann, to direct staff to 1) explore the impacts of removing language regarding schools from Charter section 4.07, and 2) propose amended language of Charter section 4.07 as discussed.

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

NOES: None

Motion carried and so ordered.



**ALBANY CITY COUNCIL – MINUTES**

1000 San Pablo Avenue  
Albany, CA 94706  
Monday, April 1, 2024

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

Council Member Hansen-Romero reported StopWaste is accepting nominations for Environmental Leadership awards through April 16, 2024, and offering gardening workshops and community events.

Council Member Jordan reported at the Alameda CTC meeting information about the project for access to I-880 in Oakland was shared.

Vice Mayor López reported the Alameda County Mosquito Abatement District laboratory director has been a guest on a local podcast.

Council Member Tiedemann reported that the Ava Community Energy Joint Powers Authority (JPA) Board of Directors meeting included discussion of the dynamic load management policy and the Chief Executive Officer’s employment contract extension. Also, the Association of Bay Area Governments (ABAG) Executive Board meeting included a discussion on the Bay Area Housing Finance Authority (BAHFA) bond.

Mayor Miki reported the League of California Cities Housing, Community and Economic Development Committee meeting shared information about pending legislation and Los Angeles Affordable Housing Solutions Agency’s (LACAHS) tax measure.

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

Mayor Miki noted Ms. McQuaid’s written report, specifically the opening of waitlists.



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue  
Albany, CA 94706  
Monday, April 1, 2024

---

### 13. FUTURE AGENDA ITEMS

Council Member Jordan noted AUSD Board of Education's resolution regarding the voting age and his memorandum regarding a tax for emergency financial support of tenants.

Vice Mayor López requested items regarding a tree protection ordinance, accessible infrastructure in parks, and subsidies for participants in recreational activities.

### 14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

Upcoming City Meetings

1. Racial Inclusivity & Social Equity Commission Meeting, Tuesday, April 2, 7:00 PM, City Hall Council Chambers
2. Arts Committee Meeting, Monday, April 8, 7:00 PM, City Hall Council Chambers
3. Planning & Zoning Commission Meeting, Wednesday, April 10, 7:00 PM, City Hall Council Chambers
4. Parks, Recreation & Open Space Commission Meeting, Thursday, April 11, 7:00 PM, City Hall Council Chambers
5. City Council Meeting, Monday, April 15, 7:00 PM, City Hall Council Chambers

### 15. ADJOURNMENT

8:28 PM There being no further business before the City Council, Mayor Miki adjourned the meeting with contact information for crisis assistance.

Minutes submitted by Anne Hsu, City Clerk.

John Miki  
Mayor

Attest:

---

Anne Hsu, City Clerk