



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 15, 2024

---

### **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**

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

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

City Manager Nicole Almaguer reported the nomination period for the 2024 election is open, and nomination packets may be obtained from the City Clerk by appointment. The election page on the City website ([albanyca.org/election](http://albanyca.org/election)) is updated regularly as candidates qualify for the ballot. Fair Political Practices Commission's (FPPC) website ([fppc.ca.gov](http://fppc.ca.gov)) provides information on campaign statements and training opportunities for elections. The City is offering virtual information sessions regarding Ranked Choice Voting on August 15, September 17, and October 15, 2024. The 4<sup>th</sup> of July Celebration at Memorial Park was a success. National Night Out is scheduled for August 5, 2024. Concerts in the Park will be held August 21 and 28 and September 4 and 11, 2024 in Memorial Park. The Fall Activity Guide will be mailed soon. Applications for the new affordable apartment community at 755 Cleveland Avenue may be completed and submitted online at [sahahomes.org/apply](http://sahahomes.org/apply) or obtained and returned to the Senior Youth Annex, 842 Masonic Avenue, on July 17 and 22, 2024 by the deadline of July 24, 2024 at 5:00 PM.

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

Mayor Miki opened the Good of the City.

A summary of public comment is as follows: concern about the accuracy of elections in California; concern regarding electric vehicle (EV) charging stations; support for a ban on the sale of tobacco and tobacco products in Albany.

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

7-1. Minutes – June 27, 2024 & July 1, 2024

Staff Recommendation: Approve



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 15, 2024

- 
- 7-2.** Ratification of Payroll – Date Paid 6/14/2024: Net Amount \$481,849.28, Taxes/Benefits/Deductions \$520,696.00, Total Payroll \$1,002,545.28

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 \$504,262.25 (6/28/2024), \$201,970.16 (7/5/2024)

Staff Recommendation: Ratify

- 7-4.** Resolution in Support of Richmond-San Rafael Bridge Trail Access

Vice Mayor López Recommendation: That the Council adopt Resolution No. 2024-60 in support of 24 hours a day, 7 days a week access to the Richmond-San Rafael Bridge Trail Access and authorize the submission of the Resolution

- 7-5.** Letter to the Alameda County Board of Supervisors of Regarding Cast Vote Records Release Schedule

Council Member Jordan Recommendation: That the Council authorize the submission of a letter to the Alameda County Board of Supervisors regarding the Cast Vote Record release schedule

- 7-6.** Bay Area Housing Finance Agency Regional Bond

Council Member Tiedemann Recommendation: That the Council adopt Resolution No. 2024-61, endorsing the Bay Area Housing Finance Agency's \$20 billion Regional Bond Measure

- 7-7.** Amendments to the Albany Municipal Code Chapter 12 Section 12-11 "Construction and Demolition Debris Recycling"

Staff Recommendation: That the Council adopt Ordinance No. 2024-03, amending the Albany Municipal Code regarding construction and demolition debris recycling – Second Reading, Pass-to-Print

Mayor Miki asked if anyone wished to remove items from the consent calendar. Council Member Hansen-Romero removed Item 7-4. A member of the public removed Item 7-2.

Item 7-4: Council Member Hansen-Romero asked whether the bike path provides 24/7 access.

A summary of public comment is as follows: an inquiry regarding the process for setting staff salaries; support for Item 7-4.



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 15, 2024

---

City Manager Almaguer noted the monthly compensation expense is composed of salary, overtime, and other compensation; the City negotiates salary schedules with three representative labor groups; and the Council reviews and adopts all salary schedules periodically.

A summary of Council comment is as follows: the bike path is utilized frequently and benefits people who do not have access to vehicles; converting the path to a thru-lane would not decrease congestion on the bridge.

### **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**

### **8-1. FY 2025 & FY 2026 Contract with Insight Housing for Albany Project HOPE – Housing Opportunities Expanded**

Staff Recommendation: That the Council:

1. Receive presentation from Insight Housing on Albany Project HOPE – Housing Opportunities Expanded
2. Adopt Resolution No. 2024-62 authorizing the City Manager to enter into Contract No. C24-42 with Insight Housing for Fiscal Years 2025 and 2026 at a cost not to exceed \$1,041,092 for the continued provision of services for Albany Project HOPE – Housing Opportunities Expanded, the City's homeless outreach, engagement and housing navigation program

Recreation & Community Services Director Sid Schoenfeld presented the staff report. Insight Housing, formerly Berkeley Food and Housing Project, has provided homeless outreach, engagement, case management, and housing services in the City of Albany since July 2013. The partnership has been successful due to Insight Housing's consistent collaboration with City departments.

Stacy Burmaster, Insight Housing Regional Director of Residential Services, reported Insight Housing conducts street outreach and housing navigation; provides eight beds for individuals who are not able to stay in congregate shelters and funding for non-rental support; funds Rapid Rehousing; and partners with landlords. Over the past two years, seven people have been permanently housed through Rapid Rehousing subsidies, and one person received emergency motel assistance. Staff anticipates increasing the funding for flexible housing subsidies.



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 15, 2024

---

A summary of public comment is as follows: concern that the cost of services per person is too high.

A summary of Council comment is as follows: helping a person maintain housing is less expensive than rehousing them; trying to house the unhoused is incredibly work intensive; appreciation of the difficulties of finding affordable housing and providing services to unhoused people.

### **MOTION:**

Moved by Council Member Tiedemann, seconded by Council Member Jordan, to adopt Resolution No. 2024-62, authorizing the City Manager to enter into Contract No. C24-42 with Insight Housing for Fiscal Years 2025 and 2026 at a cost not to exceed \$1,041,092 for the continued provision of services for Albany Project HOPE – Housing Opportunities Expanded, the City’s homeless outreach, engagement and housing navigation program.

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

NOES: None

Motion carried and so ordered.

## **9. PUBLIC HEARING**

### **9-1. Supplemental Business License Special Tax**

Staff Recommendation: That the Council adopt Resolution No. 2024-63, placing the Supplemental Business License Special Tax Measure on the ballot to be submitted to the voters for the November 5, 2024 General Municipal Election

Mayor Miki recused himself because he owns rental property that could be affected by a supplemental business license special tax.

City Manager Almaguer presented the staff report. The Council reviewed a proposed supplemental business license tax on May 20 and July 1, 2024. As directed by the Council, staff has prepared a final draft ordinance that includes tax rates of 0.36% for owners of four or less units and 1.0% for owners of five or more units and clarifications regarding purposes and potential application of the revenue. A conservative estimate of the annual revenue is approximately \$475,000. Voters would need to approve the measure by a two-thirds majority.

A summary of public comment is as follows: a request to exempt senior care facilities from the tax; opposition to taxing residential rental businesses only; a suggestion to include a sunset date for the tax; opposition to the tax; a suggestion to utilize incentives rather than penalties.

City Attorney Subramanian advised that the measure as proposed does not exempt independent living facilities. Council may choose to defer the exemption issue until the



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 15, 2024

---

measure is passed since language in the proposed ordinance allows the Council to add, amend, and delete exemptions by resolution or ordinance.

A summary of Council comment is as follows: the data for the structure of the proposed tax is based on the distribution of emergency financial support from American Rescue Plan Act (ARPA) funding; the proposed measure is continuing an effective program to keep people housed, not a voucher program, and to not have a gap for the emergency financial support funding; this measure is preventative, instituting an insurance program with the vast majority of this money going back to the people who paid the tax (property owners); the legal assistance portion applies to both the tenants and landlords; the tax amount per rental unit would be much lower than the 10% rental increase permitted under Assembly Bill (AB) 1482; the proposal needs more consideration of unintended consequences, in a meaningful manner, and considering other County and State programs; a preference to defer action on an exemption for assisted living and memory care facilities.

### **MOTION:**

Moved by Council Member Tiedemann, seconded by Council Member Jordan, to adopt Resolution No. 2024-63, placing the Supplemental Business License Special Tax Measure on the ballot to be submitted to the voters for the November 5, 2024 General Municipal Election.

AYES: Council Members Jordan and Tiedemann, Vice Mayor López

NOES: Council Member Hansen-Romero

RECUSED: Mayor Miki

Motion carried and so ordered.

## **10. UNFINISHED BUSINESS**

### **10-1. Charter Amendment – Youth Voting Measure and Repeal of Older Charter Language About Former Elected Officials**

Staff Recommendation: That the Council adopt Resolution No. 2024-64, placing a ballot measure on the November 5, 2024 General Municipal Election for a City Charter amendment allowing 16- and 17-year-old qualified electors to vote in municipal and school district elections, for both officers and for ballot measures

City Attorney Mala Subramanian presented the staff report. The proposed Charter amendment would reduce the voting age of Albany residents entitled to vote in municipal and Albany Unified School District (AUSD) Board of Education (Board) elections from 18 years of age to 16 years of age. It would not permit them to be elected as City or Board officers. The resolution also proposes to delete outdated language regarding the election of City Attorney, City Judge, and City Police Chief. Because the cost of allowing younger residents to vote is unknown, the resolution requires the Council and Board to vote to authorize a finding that lowering the voting age is cost effective and logistically feasible before implementation if the voters pass the measure.



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 15, 2024

---

A summary of public comment is as follows: opposition to the measure; support for the measure; suggestions to revise the measure to an advisory measure and to allow 16- and 17-year-olds to elect members of the Board only.

A summary of Council comment is as follows: based on research, lowering the voting age would improve democracy over the long term; the age of 18 years is an arbitrary standard; 16- and 17-year olds can operate motor vehicles and participate on City Advisory Bodies; a preference to defer the measure and learn the cost and the outcomes of similar measures in other cities; Albany residents, including those as young as 13 years of age, are well informed and capable; if the voters pass the measure, the Council and Board could allow 16- and 17-year olds to vote in Board elections and subsequently in municipal elections.

### **MOTION:**

Moved by Council Member Tiedemann, seconded by Council Member Jordan, to adopt Resolution No. 2024-64, placing a ballot measure on the November 5, 2024 General Municipal Election for a City Charter amendment allowing 16- and 17-year-old qualified electors to vote in municipal and school district elections, for both officers and for ballot measures.

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

NOES: Council Member Hansen-Romero

Motion carried and so ordered.

## **11. NEW BUSINESS**

### **11-1. Request for FilmFest Sponsorship**

Staff Recommendation: That the Council consider a funding request of up to \$10,000 for the 2024 FilmFest to be held in October 2024 at the Rialto Cerrito Theater in El Cerrito. If approved, adopt Resolution No. 2024-65, funding the request from the adopted FY 2024-25 Operating Budget – Council Community Event fund

Assistant City Manager Isabelle Leduc presented the staff report. FilmFest organizers have submitted a request for \$10,000 in support of the 2024 FilmFest. The fiscal year (FY) 2024/25 budget includes a line item of \$65,000, which could be used to fund the request. The FY 2024/25 budget also funds a Juneteenth celebration, four Stroll-ish events, and the Solano Stroll. The request also seeks in-kind support of approximately \$2,200 for staff time and one-time use of meeting rooms and the Community Hall at the Community Center.

### **MOTION:**

Moved by Council Member Hansen-Romero, seconded by Council Member Tiedemann, to adopt Resolution No. 2024-65, funding the FilmFest request for \$10,000 from the adopted FY 2024-25 Operating Budget – Council Community Event fund.



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 15, 2024

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

NOES: None

Motion carried and so ordered.

### 11-2. Providing for and Setting the Rules for the Filing of Written Arguments for Ballot Measures and Council Subcommittee(s) for the Preparation of Ballot Measure Arguments on the November 5, 2024 General Municipal Election

Staff Recommendation: That the Council:

1. Adopt Resolution No. 2024-66, providing for the filing of primary and rebuttal arguments and setting rules for the filing of written arguments regarding six City ballot measures to be submitted at the November 5, 2024 General Municipal Election
2. Assign a Council subcommittee or subcommittees to prepare written arguments for the six ballot measures as identified in Resolution Nos. 2024-26, 2024-27, 2024-43, 2024-56, 2024-63, 2024-64, per the rules set in Resolution No. 2024-66

City Clerk Anne Hsu presented the staff report. The Council has adopted resolutions placing six measures on the ballot. The City Attorney will prepare an impartial analysis of each ballot measure for inclusion in the voter's pamphlet. The Council may assign one subcommittee to author multiple arguments or different subcommittees to author arguments. Should a Council Member or subcommittee wish to author an argument in favor of or against a ballot measure, the Council may wish to formally authorize it to ensure the argument holds priority over any other arguments received by the City Clerk.

#### **MOTION:**

Moved by Council Member Jordan, seconded by Council Member Tiedemann, to 1) adopt Resolution No. 2024-66, providing for the filing of primary and rebuttal arguments and setting rules for the filing of written arguments regarding six City ballot measures to be submitted at the November 5, 2024 General Municipal Election; and 2) assign Council Member Tiedemann and Mayor Miki to prepare written arguments in favor of Resolution Nos. 2024-26, 2024-27, and 2024-43 and assign Council Members Tiedemann and Jordan to prepare written arguments in favor of Resolution Nos. 2024-56, 2024-63, and 2024-64.

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 Hansen-Romero, seconded by Council Member Tiedemann, to assign Council Member Hansen-Romero and Mayor Miki, if allowed by the Fair Political Practices Commission, to prepare a written argument against Resolution No. 2024-63.



# ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue  
Albany, CA 94706  
Monday, July 15, 2024

AYES: Council Members Hansen-Romero, Jordan and Tiedemann, Vice Mayor López  
NOES: None  
RECUSED: Mayor Miki  
Motion carried and so ordered.

### 11-3. Amendment No. 5 to the Employment Agreement for City Manager Services

Staff Recommendation: That the Council adopt Resolution No. 2024-67, approving Amendment No. 5 to the Employment Agreement for City Manager Services, and accompanying updated salary schedule to incorporate the amendment

City Attorney Subramanian presented the staff report. The proposed amendment increases the City Manager’s base salary to \$290,723.00 effective July 1, 2024, requires a four-fifths vote of the Council to terminate the agreement, and updates the salary schedule to reflect the salary increase.

#### **MOTION:**

Moved by Council Member Tiedemann, seconded by Council Member Hansen-Romero, to adopt Resolution No. 2024-67, approving Amendment No. 5 to the Employment Agreement for City Manager Services and accompanying updated salary schedule to incorporate the amendment.

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

<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





## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 15, 2024

---

Council Member Jordan reported the Alameda County Transportation Commission (Alameda CTC) received a presentation from AC Transit and the Port of Oakland regarding clean transportation. Alameda CTC's Planning, Policy and Legislation Committee discussed the safety precept for the Alameda County Transportation Plan. Council Member Jordan noted his continued advocacy for the Alameda County Transportation Plan to include sidewalk safety.

Council Member Tiedemann advised that the Association of Bay Area Governments (ABAG) Legislative Committee discussed the State budget and amendments to Assembly Constitutional Amendment (ACA) 1.

Mayor Miki indicated the Alameda County Mayors Conference met in Newark at the Lucid research facility. A soccer club in Oakland and other organizations are petitioning to obtain representation on the World Cup host committee.

### 13. FUTURE AGENDA ITEMS

Council Members Jordan and Hansen-Romero requested a review of the soft-story retrofit ordinance, specifically the provision for tenants to vacate the premises during construction and a grant program to assist property owners.

### 14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

1. Labor Day – Monday, September 2, 2024 (City Offices Closed)

#### Upcoming City Meetings

1. Climate Action Committee Meeting, Wednesday, July 17, 7:00 PM, City Hall Council Chambers
2. Policing Commission Meeting, Thursday, July 18, 7:00 PM, City Hall Council Chambers
3. Police and Fire Pension Board Meeting, Tuesday, July 23, 7:00 PM, City Hall Council Chambers
4. Planning & Zoning Commission Meeting, Wednesday, July 24, 7:00 PM, City Hall Council Chambers
5. Transportation Commission Meeting, Thursday, July 25, 7:00 PM, City Hall Council Chambers
6. August Recess – No public meetings will be held in August
7. City Council Meeting, Tuesday, September 3, 7:00 PM, City Hall Council Chambers

### 15. ADJOURNMENT

10:32 PM There being no further business before the City Council, Mayor Miki adjourned the meeting with contact information for crisis specialists.



**ALBANY CITY COUNCIL – MINUTES**

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 15, 2024

---

Minutes submitted by Anne Hsu, City Clerk.

---

John Miki  
Mayor

Attest:

---

Anne Hsu, City Clerk