CITY OF ALBANY

MINUTES OF THE
ALBANY CITY COUNCIL
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE
TUESDAY, JANUARY 17, 2017

6:30 p.m.- SPECIAL MEETING

CLOSED SESSION

CALL TO ORDER

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS
City Council convenes in the Council Chamber and then adjourns to Closed Session to discuss the following:

1. Labor Negotiations pursuant to Government Code Section 59457.6

   Agency Negotiator: City Manager Penelope Crumpley & Human Resources Director Gene Boucher
   Employee Organization: Albany Fire Fighters' Association

2. Conference with Legal Counsel to discuss significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) -- Claim filed by the Albany Lions Club regarding the Albany Hill Cross

ADJOURNMENT

7:30 p.m.- REGULAR MEETING

CALL TO ORDER

1. PLEDGE OF ALLEGIANCE
   Council Member Barnes led the Pledge of Allegiance.

2. ROLL CALL
   Present: Council Members Barnes, Maass, Nason, Vice Mayor Pilch, Mayor McQuaid
3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY
Mayor McQuaid reported the Council provided direction to staff as to how to proceed on the closed session items

Mayor McQuaid read a statement as follows:
I want to recognize those in our community who are taking affirmative steps to reinforce our commitment to diversity and inclusion, especially the business community who have stepped up during this time of fear and uncertainty by posting welcoming signs in their windows as shown on the screen, and the organizers of the Women's March in Albany on this coming Saturday. I know there are many who are working hard both individually and in groups to ensure our commitment is met. Please know that your efforts are supported and appreciated.

I'm extremely honored and proud to be Mayor of a city where the police department so clearly explains their policies recognizing the civil rights of all community members, regardless of immigration status and their resolve to prevent, respond to, and prosecute any crimes based on hate. I urge everyone to read the Statement Concerning Hate Crimes and Immigration Violations on the police department page of the city web site, www.albanyca.org.

Albany will not tolerate any show of hate and will continue to work with law enforcement both local and regional to ensure violators will be prosecuted to the full extent of the law.

This council stated in November that we welcome and value all of our diverse community regardless of where they are from, who they love, how they worship, how they look, their abilities, or how they vote. We continue to stand by this principal.

Police Lieutenant Geissberger stated in response to community concerns, the Police Department posted its policies concerning hate crimes and immigration violations on the City's website. The Police Department is committed to upholding the community's values with regard to these issues and pledged to vigorously respond to reports of hate-related incidents. The Department would utilize all available resources to prevent, respond to and prosecute crimes motivated by hatred or bias. In addition, the immigration status of individuals alone is generally not a matter for police action. Albany Police are prohibited from contacting, detaining or arresting someone based solely on the suspicion that an individual is an undocumented immigrant.

4. CONSENT CALENDAR

4-1. Minutes, December 19, 2016
Staff recommendation: Approve

4-2. Ratification of Payroll – City of Albany
   a) Payroll Period: 12/22/2016; Net Payroll: $213,323.81; Taxes, Benefits, Withholdings: $285,175.56; Total: $498,499.37

Staff recommendation: Ratify

4-3. Ratification of Payroll – Albany Municipal Services JPA - Payroll Period: 12/22/2016; Net Payroll: $66,603.29; Taxes, Benefits, Withholdings: $68,132.52; Total: $134,735.81

Staff recommendation: Ratify

4-4. Mayor McQuaid recommended Berkeley/Albany Mental Health Commission applicant Naseem Ghaffari as City of Albany’s representative.

Staff recommendation: that Council ratifies the appointment to the Berkeley/Albany Mental Health Commission

4-5. Advisory Body Appointments to Advisory Boards
   a) Council Member Nason: Jim Lindsay-Charter Review Committee; Stephanie Ohshita-Sustainability Committee; Robert del Rosario-Traffic & Safety Commission; David Esbin-Park & Recreation Commission; Noreen Linden-Arts Committee
   b) Vice Mayor Pilch: Lisa Schneider-Charter Review Committee; Terra Baer-Social & Economic Justice Commission; Nick Peterson-Sustainability Committee
   c) Council Member Barnes: Ric Prindle-Community Media Access Committee
   d) Council Member Maass: Geno Romero-Park & Recreation Commission; Robert Cheasty-Economic Development Committee

Staff recommendation: Information only

4-6. Mayor McQuaid recommended Jenny Holland be reappointed as Council At-Large Appointee to the Arts Committee.

Staff recommendation: That the Council ratify the at-large appointment to the Arts Committee.

4-7. Planning and Zoning Commission Appointments
   a) Council Member Nason appointed Val Menotti
   b) Vice Mayor Pilch appointed Erik Giesen-Fields

Staff recommendation: that Council ratifies the appointments to the Planning & Zoning Commission

4-8. Amendment to the County of Alameda and the City of Albany 2011 Emergency Medical Services Fire Responder Advanced Life Support and Ambulance Agreement
Staff recommendation: that the Council adopt Resolution No. 2017-1 approving a rate increase that equals the private ambulance transport rates

4-9. Agreement for Participation in the Alameda County Operational Area Emergency Management Organization

Staff recommendation: that the Council adopt the Resolution No. 2017-2, Adopting the Agreement for Participation in the Alameda County Operational Area Emergency Management Organization

Mayor McQuaid asked if anyone would like to remove an item from the Consent Calendar. No items were removed from the Consent Calendar.

MOTION:
Motion by Council Member Maass, seconded by Council Member Nason to approve the consent calendar.
AYES: Council Members Barnes, Maass, Nason, Vice Mayor Pilch, Mayor McQuaid
NOES: none
Motion carried and so ordered.

5. PRESENTATION

5-1. Certificates of Appreciation – Recognition of Civil Service Board Members
Mayor McQuaid provided the background of the Civil Service Board and presented certificates to former Civil Service Board Members Lockhart, Rosano and Marlette.

Former Board Member Rosano thanked the City for the opportunity to serve on the Civil Service Board.

5-2. Certificate of Appreciation – Recognition of Council Member Maass for his service as Mayor
Mayor McQuaid recognized Council Member Maass' service and thanked him for his service as Mayor.

Council Member Maass thanked the Council for the honor of serving as Mayor.

5-3. City Council Strategic Plan Update
City Manager Crumpley provided a status report on the current 2015-2017 Strategic Plan in preparation for the upcoming retreat and for the planning of the next two-year Strategic Plan. Staff is working with advisory bodies to develop work plans and staff is also developing the Operating Budget, both of which will support the Strategic Plan. The Strategic Plan will also be the guiding document for prioritizing CIP projects. Crumpley reviewed completed projects, as well as ongoing projects.
A summary of Council comments is as follows: consideration of staff providing more precise scoring of goals in the future.

6. **GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS**

   Mayor McQuaid opened the Good of the City.

   The following people spoke: Susan Schwartz, Joan Bernier, and Brian Beall. A summary of comments is as follows: expeditious spending of funds for Codornices Creek projects; support for diversity and inclusivity in Albany; encouragement for citizen involvement in government.

7. **PUBLIC HEARING**

8. **UNFINISHED BUSINESS**

   8.1 Resolution No. 2017-3 approving the revised Plans, Specifications, and Estimates (PS&E) for the Buchanan/Marin Bike Path Phase III Project (CIP Project No. 24004) and the revised budget for the Buchanan/Marin Utility Undergrounding Project (CIP Project No. 10002)

      Staff recommendation: that the Council:
      1) Approve Traffic and Safety Commission recommendations to:
         a. Approve the revised PS&E for the Buchanan Bikeway Phase III Project (CIP Project No. 24004); and
         b. Authorize the City Manager to Re-issue a Request for Construction Bids for these projects, under Contract C17-1.
      2) Staff also recommends that Council approve the following CIP Project updates:
         a. CIP Project No. 10002 – Buchanan/Marin Utility Undergrounding: Allocate $3,142,000 from General Fund Reserve (advance) to temporarily fund construction of the utility undergrounding and recycled water pipeline work. This amount will be fully reimbursed by the utility companies; and
         b. CIP Project No. 24004 – Buchanan/Marin Bike Path Phase III: Total budget of $1,597,000 which includes an additional reallocation of $239,000 of Gas Tax Funding.

      Public Works Director Hurley explained the three main elements of the project: undergrounding of overhead electric and communication lines, installing a portion of a recycled water line, and construction of surface improvements. Staff reconfigured the project to meet budget expectations and ensure the project could be funded and constructed within the timeframe of the grants that fund a large part of the project. The total cost of the project is projected at about $1.6 million, including design and program costs to date, construction costs, and a contingency. Project funding is provided through four grants totaling $1.2 million, $189,000 of City storm drain funds, and approximately $239,000 from the gas tax fund.
Utility companies would reimburse the City for the undergrounding component of the project. The project bids are due in late February, with a contract award anticipated in March, with construction beginning shortly thereafter and continuing through November.

The following people spoke: Amy Smolens, Brian Beall, Preston Jordan.
A summary of comments is as follows: the need for sharrows westbound on Buchanan at San Pablo because of the danger of right hooks; support for undergrounding of utilities and a Phase 4 for improvements west of San Pablo; request for maximizing landscaping at crosswalks on Marin, the retaining curb at the southwest corner of Kains and Marin be curved, the dimension of the cycle lane westbound approaching San Pablo, and moving the drain inlet from the cycle lane.

A summary of Council comments is as follows: a desire to have sufficient time to consider and possibly revise bids prior to grants expiring; the cost of Phase 4 separately and as a part of the overall project; a comparison of cycling westbound on Marin Avenue with and without Phase 4 improvements; changing the curb ramp at the intersection of San Pablo from pedestrian width to path width; continuing public education and outreach regarding construction of the project; difficulty of obtaining right-of-way easements on the north side of the street; and changing the bike lane at the northeast corner of Marin and San Pablo as part of Phase 4 to improve safety; interest in adding sharrows westbound on Buchanan at San Pablo; the possibility of placing utilities under sidewalks; support for pedestrian access and undergrounding of utilities as proposed.

**MOTION:**
Motion by Vice Mayor Pilch, seconded by Council Member Nason to approve Resolution No. 2017-3 for the revised Plans, Specifications, and Estimates (PS&E) for the Buchanan/Marin Bike Path Phase III Project (CIP Project No. 24004) and the revised budget for the Buchanan/Marin Utility Undergrounding Project (CIP Project No. 10002), with the provision that staff clarify the westbound cycle lane.
AYES: Council Members Barnes, Maass, Nason, Vice Mayor Pilch, Mayor McQuaid
NOES: none
Motion carried and so ordered.

9. **NEW BUSINESS**

10. **OTHER BUSINESS, REPORTS ON MEETINGS ATTENDED, ANNOUNCEMENT OF EVENTS/FUTURE AGENDA ITEMS**
Mayor McQuaid reported that she attended the Alameda County Mayors Conference. She recommended viewing the art exhibit at the Community Center. She would be attending the League of California Cities Community Services
Policy Committee meeting during the week. On Friday, she and Council Member Nason would meet with the Mayor of Berkeley to discuss Alta Bates Hospital.

Council Member Maass advised that he attended the Programs and Projects meeting for the County Transportation Commission and the Recycling and Planning Board meeting.

Vice Mayor Pilch stated he would attend the Environmental Policy Committee meeting for the League of California Cities.

10-1. The Council will hold a workshop on January 23, 2017 from 9 AM – 2:30 PM at the Senior Center. The next regular meeting of the Council will be held on February 6, 2017.

10-2. Upcoming City Events
@theCenter: From Action to “That’s a Wrap” – Friday, January 27, 2017, 7 PM, Community Center

10-3. Upcoming City Meetings
Community Media Access Committee – Monday, January 23, 2017, 6 PM, City Hall Council Chambers
Planning & Zoning Commission – Wednesday, January 25, 2017, 7 PM, City Hall Council Chambers
Traffic & Safety Commission – Thursday, January 26, 2017, 7 PM, City Hall Council Chambers

11. ADJOURNMENT
8:42 p.m. There being no further business before the City Council, Mayor McQuaid adjourned the meeting.

Minutes submitted by Nicole Almaguer, City Clerk.

Peggy McQuaid
Mayor

Attest:

Nicole Almaguer, City Clerk