CITY OF ALBANY

MINUTES OF THE
ALBANY CITY COUNCIL
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE
TUESDAY, OCTOBER 2, 2017

6:45 p.m. – SPECIAL MEETING

CLOSED SESSION

CALL TO ORDER

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

1. Labor Negotiations pursuant to Government Code Section 59457.6
   Agency Negotiator: City Manager Penelope Crumpley & Joe Wiley -- Chief Negotiator
   Employee Organization: Albany Fire Fighters' Association

ADJOURNMENT

7:30 p.m.- REGULAR MEETING

CALL TO ORDER

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

2. ROLL CALL
   Present: Council Members Barnes, Maass, Nason, Vice Mayor Pilch, Mayor McQuaid
   Absent: none

Mayor McQuaid expressed condolences to all those in Las Vegas who are suffering. The City grieves with them on the loss of their family and friends. To the hundreds who were injured, the City sends hope that the healing journey goes smoothly. The City shares their pride in their police, first responders, and concert goers who bravely responded so quickly in saving the lives of many. The City thanks the doctors, nurses, and staff in their hospitals for their care and professionalism. Mayor McQuaid urged the Albany
community to honor these latest victims of gun violence by recommitting to create a safe and peaceful community globally, nationally, and locally. Let the City not only send sympathy, but let the City take action, be it through blood or monetary donations, participating in the political process, supporting mental health services or firearms regulations. Let the City come together as a community to continue the fight against hate and terror in our lives. Let the City support one another, seeking recognition and understanding of the silent pain and fear. Let the City stand as a community and say no more, and let the City take action to ensure these are not hollow words.

3. CEREMONIAL MATTERS
3-1. Proclamation in Honor of October 2017 as National Chiropractic Health Month
   Staff recommendation: that the Council approve the proclamation in honor of October 2017 as National Chiropractic Health Month
   Council Member Maass read and presented the proclamation.

4. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY
   Mayor McQuaid reported Council gave staff direction on how to proceed on the Closed Session item.

5. CONSENT CALENDAR
5-1. Minutes, September 18, 2017
   Staff recommendation: Approve

   Staff recommendation: Ratify

5-3. Ratification of Bills, Claims and Demands - Ratification of bills, claims and demands against the City of Albany in the amount of: $459,753.09
   Staff recommendation: Ratify

5-4. Request for Proposals for an Operational and Organizational Assessment of the City's Finance Department
   Staff recommendation: that the Council
   1) Authorize the release of a Request for Proposals for an Operational and Organizational Assessment of the City's Finance Department; and
   2) Designate the Mayor and Vice Mayor to serve on a consultant selection panel

   Staff recommendation: that the Council adopt Ordinance No. 2017-06 approving amendments to Section 20.16.020 “Residential Use Classifications” and Section
20.28 "Off-Street Parking and Loading Regulations" of the Albany Municipal Code - Second Reading - Pass to print

5-6. Proclamation in Honor of Freedom from Workplace Bullies Week
Staff recommendation: that the Council approve the proclamation in honor of freedom from workplace bullies week

5-7. Letter of Opposition: Senate Bill 523
Mayor McQuaid recommendation: that the Council authorize submittal of a letter of opposition to Senate Bill 523

5-8. Mayor McQuaid Request to use the City Council Chambers
Staff recommendation: that the Council approve the Mayor's Request to use the Council Chambers October 4th from 4-5 PM
Mayor McQuaid asked if anyone wished to remove an item from the Consent Calendar. Vice Mayor Pilch pulled Items 5-5, 5-6, and 5-8.

Item 5-5: Vice Mayor Pilch provided revisions regarding two-family dwellings (page 3); sufficient bicycle storage (page 8); and unprotected bicycle parking (page 16). Planning Manager Anne Hersch reviewed revisions staff made that afternoon. Council Member Barnes requested the item be continued.

The following person spoke: Clay Larson.
A summary of the comments is as follows: the amendments are vague and do not prevent abuse of discretion.

Item 5-6: Vice Mayor Pilch expressed appreciation for the proclamation.

Item 5-8: Vice Mayor Pilch felt the Council should not have to approve Council Members' use of City facilities.

MOTION:
Moved by Vice Mayor Pilch, seconded by Council Member Maass, to approve the Consent Calendar except for Item 5-5.
AYES: Council Members Barnes, Maass, Nason, Vice Mayor Pilch, Mayor McQuaid
NOES: none
Motion carried and so ordered.

Mayor McQuaid announced Item 5-5 is continued to the next Council meeting, to allow the Council to review an updated version of the Ordinance without the tracked changes.
6. **GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS**
Mayor McQuaid opened the Good of the City.

The following people spoke: Desiri Moret-Blyden, Desiri Moret-Blyden on behalf of Ann Zolfaghari, Peter Goodman, Ann Miley, Allan Maris, and Jeremiah. A summary of comments is as follows: the Police Department's hate crime criteria need amending; documenting and tracking hate crimes is necessary for the public; an announcement of the 2nd annual Fall Into Haiku program; a request for an update of the City's contribution to affordable housing; the Albany Community Resource Center's open house was successful; the City should provide affordable housing for a wide range of residents; the library should have a color printer and software upgrades; a request for an agenda item regarding school zones; the free shower program is a good resource for residents.

7. **COUNCIL MEMBER REPORTS ON STATE/REGIONAL/LOCAL MEETINGS ATTENDED AND ANNOUNCEMENT OF FUTURE MEETINGS/CITY MANAGER REPORT/COMMENTS**

7-1. Mayor McQuaid Report on Meetings Attended

Council Member Maass reported he attended the East Bay Community Energy Board meeting in Vice Mayor Pilch's place. The International Brotherhood of Electrical Workers objected to the Board's choice of billing data management vendor. The Waste Management Authority and Energy Council met September 27 and made minor changes to rules of procedure. He attended a SPUR presentation on September 27 regarding the expansion and modernization of the rail system.

Vice Mayor Pilch reported he attended the Alameda County Transportation Commission meeting for Council Member Maass. Passage of SB 595 will allow Measure 3 to be placed on the ballot.

Council Member Nason reported she attended the open house for the Community Resource Center. Upcoming meetings include BCDC on October 5, JPA on October 18, and the Alta Bates Regional Task Force on October 11.

Mayor McQuaid reported she attended the opening of the Community Resource Center and a League of California Cities workshop and met with the City Manager, Supervisor Carson, and his staff. Mayor McQuaid recognized the Recreation Department for holding another successful Albany Local Week. The Fire Department's Pancake Breakfast is scheduled for Saturday, October 14th, and funds raised by the event support the Burn Foundation.

City Manager Penelope Crumpley reported regarding new hires for CIP Manager and Human Resources Director.
8. PRESENTATION

9. PUBLIC HEARING

10. UNFINISHED BUSINESS

11. NEW BUSINESS

11-1. Resolution No. 2017-76 CIP Project No. 21000-FY 2016-2020 Annual Street Rehabilitation Project amendment to include a street segment to be funded by the Road Repair and Accountability Act of 2017 (SB 1)

Staff recommendation: that the Council:

1) Adopt Resolution No. 2017-76 amending the FY17/18 budget of CIP Project No. 21000 – FY2016-2020 Annual Street Rehabilitation Project to include rehabilitation of Evelyn Street between Garfield Ave and Portland Ave and identifying funds in the expected amount of $106,000 from the newly established SB 1 RMRA as the funding source for the work; and

2) Authorize a call for bids for the project

Public Works Director Mark Hurley presented the staff report. Staff's proposed action is narrowly crafted in order to meet the requirements of SB 1, the Road Repair and Accountability Act (RRAA). SB 1 establishes a new funding source, the Road Maintenance and Repair Account (RMRA), for deferred maintenance and critical safety improvements of roads. Staff expects the City will receive $106,000 in additional funding in fiscal year 2017/18 and $320,000 in fiscal year 2018/19. To receive funds, cities are required to submit a list of projects that are identified in the cities' adopted budgets. Cities are also required to submit project completion reports at the end of the fiscal year. The deadline for submitting paperwork for funding is October 16. Staff selected the Evelyn Street segment between Garfield and Portland Avenues because it is the appropriate scale, is coordinated with other projects, has a low Pavement Condition Index (PCI), and is constructible.

The following person spoke: Brian Beall.
A summary of comments is as follows: other potential projects for this funding.

A summary of Council comments is as follows: concern that a successful legal challenge to SB 1 could require a refund of monies; prospective date to begin construction; additional cost, if any, to fulfill reporting requirements.

MOTION:
Moved by Council Member Maass, seconded by Council Member Nason, to adopt Resolution No. 2017-76 and to authorize a call for bids for the Evelyn Street project.
AYES: Council Members Barnes, Maass, Nason, Vice Mayor Pilch, Mayor McQuaid
NOES: none
Motion carried and so order.

11-2. Local Hazard Mitigation Plan

Staff recommendation: that the Council review and comment on the draft Local Hazard Mitigation Plan

Sustainability Coordinator Claire Griffing presented the staff report. The City is required to update its Local Hazard Mitigation Plan (Plan) to be eligible for FEMA grant funding. The goal of the Plan is to reduce the potential loss of life, property, and natural resources during and after a disaster. The planning process began with discussions at Sustainability Committee meetings to gather community input. Staff conducted a survey to determine the community's level of concern for potential hazards and its understanding of emergency preparedness. Staff identified potential natural and human-caused hazards, assessed risks and vulnerabilities associated with those hazards, and developed long-term strategies for protecting people and property from future hazard events. Staff prepared a draft Plan using guidance from ABAG, the Governor's Office of Emergency Services, and FEMA. Council and community feedback can be incorporated into the Plan prior to its adoption. Next steps include engaging City departments, incorporating feedback into the Plan, finalizing the Plan for Council review and adoption, submitting the Plan to Cal OES for approval, and updating the Plan every five years.

The following people spoke: Brian Beall, Susie Barnes, Susan Clifford.
A summary of comments is as follows: develop a disaster recovery plan for information technology infrastructure; retrofitting of soft-story structures has great economic value; the CERT course and the Plan align.

A summary of Council comments is as follows: reasons for creating this Plan; sea level rise as a hazard; rationale for listing multifamily buildings and single-family homes on Albany Hill as critical facilities and infrastructure; additional outreach to obtain residents' input; the effect of the merger of MTC and ABAG on oversight; add to the Plan the Public Works Center as a primary facility and USDA as a federal institution; consistency of requirements among the City's Strategic Plan, the General Plan, and this Plan; need to reference this Plan in the General Plan; inclusion of state facilities located in Albany; decline of property value after a disaster; add mitigations for the information grid; support for requiring retrofit of buildings; strengthen language regarding the danger of wildfire to homes located on Albany Hill; include vulnerable populations in the grid; include the City in the electrical grid failure matrix; include small and large natural gas lines located within the City; add the Bulb to wildfire implementation; community education about emergency preparedness.
12. OTHER BUSINESS, ANNOUNCEMENT OF EVENTS/FUTURE AGENDA ITEMS

Mayor McQuaid recognized the support of KALB staff for Local Week.

12-1. Upcoming City Events

Bay Area Sunshares Workshop, Tuesday, October 3, 6 PM – South Berkeley Senior Center, 2939 Ellis Street, Berkeley

National Coffee with a Cop Day, Wednesday, October 4, 8:30 AM – Royal Ground Coffee

Friends of Albany Parks Clean-up Day, Saturday, October 7, 9 AM - Tot Lot

Household Hazardous Waste Collection Event, Sunday, October 8, 9 AM – Golden Gate Fields Parking lot – register online: www.stopwaste.org/HUW

Annual Albany Fire House Pancake Breakfast, Saturday, October 14, 8 AM – Albany Fire Department

Energy Upgrade Workshop, Tuesday, October 17, 6 PM - Community Center

Halloween Carnival, Friday, October 27, 6:30 PM, Community Center

12-2. Upcoming City Meetings

Economic Development Committee, Thursday, October 5, 5 PM, City Hall Conference Room

Arts Committee, Monday, October 9, 7 PM, City Hall Council Chamber

Planning & Zoning Commission, Wednesdays, October 11 & 25, 7 PM, City Hall Council Chamber

Parks & Recreation Commission, Thursday, October 12, 7 PM, City Hall Council Chamber

City Council, Monday, October 16, 7:30 PM, City Hall Council Chamber

Community Media Access Committee, Monday, October 23, 6 PM, City Hall Council Chamber

Traffic & Safety Commission, Thursday, October 26, 7 PM, City Hall Council Chamber
13. ADJOURNMENT

9:07 p.m. There being no further business before the City Council, Mayor McQuaid adjourned the meeting in memory of people killed and injured in Las Vegas.

Minutes submitted by Nicole Almaguer, City Clerk.

Peggy McQuaid
Mayor

Attest:

Nicole Almaguer, City Clerk