SPECIAL & REGULAR MEETING AGENDA
TUESDAY, SEPTEMBER 8, 2020
6:30 PM Special Meeting
7:30 PM Regular Meeting

COVID-19 NOTICE – PUBLIC MEETING GUIDELINES

Consistent with Executive Orders No. N-29-20 from the Executive Department of the State of California and the Alameda County Health Officer’s Shelter in Place Order effective March 17, 2020, the City Hall will not be open to the public and the City Council will be participating in City Council meetings via phone/video conferencing. The public is invited to watch and submit comments via the methods below:

How to watch the meeting from home:
1. Meetings are streamed live and recorded on YouTube (www.YouTube.com/AlbanyKALB)
2. To listen to the meeting by phone, please call at the noticed meeting time 1 (669) 900-9128, then enter Webinar ID 979 7011 4482, follow by “#”. When asked for a participant id or code, press “#”. Instructions on how to join a meeting by phone are available at https://support.zoom.us/hc/en-us/articles/201362663
3. To observe the meeting by video conference, please go to https://zoom.us/s/97970114482 at the noticed meeting time. Instructions on how to join a meeting by video conference is available at https://support.zoom.us/hc/en-us/articles/201362193%20Raise-Hand-In-Webinar
4. Recorded meetings will be available for viewing on City Website within 48 hours after the meeting. https://www.albanyca.org/recreation/kalb-community-media/city-video-public-meetings

PLEASE NOTE: Please read the instructions below carefully to understand our process of receiving public comments. Comments submitted after 5 PM on the day of the Council meeting will be included as part of meeting record after the meeting.

How to submit Public Comment:
1. Members of the public may submit comments in writing by emailing the City Council citycouncil@albanyca.org with the Agenda item number clearly identified in the subject line of the email or by mail to City of Albany – Meeting Comments, 1000 San Pablo Avenue, Albany, CA 94706. All written comments received by 5 PM on the day of the meeting will be provided to the City Council and posted on the website. Other written comments received after 5 PM that address an item on the agenda will still be provided to the City Council and be included as part of the meeting record.
2. To comment by video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will then be re-muted. Instructions of how to “Raise Your Hand” is available at https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar
3. To comment by phone, you will be prompted to “Raise Your Hand” by pressing “*9” to request to speak when public comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. You will be re-muted after the allotted time.
SPECIAL MEETING: 6:30 PM

1. CALL TO ORDER

2. CLOSED SESSION
   Opportunity for the public to speak on closed session items.
   City Council convenes in the virtual public meeting and then adjourns to Closed Session to discuss the following:

   2-1. Conference with Legal Counsel – Anticipated Litigation
        Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) (1 case)

   2-2. Conference with Legal Counsel – Anticipated Litigation
        Initiation of Litigation pursuant to Government Code section 54956.9(d)(4) (1 case)

3. ADJOURNMENT OF SPECIAL MEETING

REGULAR MEETING: 7:30 PM

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. CEREMONIAL MATTERS

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

5. CONSENT CALENDAR
   Consent Calendar items are considered to be routine by the City Council and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the City Council. There will be no separate discussion on these items unless a Council Member or a member of the audience requests removal of the items from the Consent Calendar.

   5-1. Minutes

       A. July 20, 2020
       B. August 5, 2020
       C. August 24, 2020

       Staff recommendation: Approve
5-2. Ratification of Payroll

A. Payroll Period: 7/17/20; Net Payroll: $310,134.06; Taxes, Benefits, Withholdings: $334,555.02; Total: $644,689.08

B. Payroll Period: 7/31/20; Net Payroll: $303,934.00; Taxes, Benefits, Withholdings: $258,047.42; Total: $561,981.42

C. Payroll Period: 8/14/20; Net Payroll: $309,695.41; Taxes, Benefits, Withholdings: $330,929.16; Total: $640,624.57

D. Payroll Period: 8/28/20; Net Payroll: $308,530.37; Taxes, Benefits, Withholdings: $326,992.33; Total: $635,645.59

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: $703,811.95 (7/17/20), $66,137.29 (7/24/20), $508,519.17 (7/31/20), $88,970.54 (8/7/20), $1,947,049.22 (8/14/20), $592,623.78 (8/21/20), $108,918.84 (8/28/20)

Staff recommendation: Ratify

5-4. Advisory Body Resignations

Climate Action Committee – Allison Marten resigned (Council-At-Large Appointment)
Arts Committee – Andrew Kellogg resigned (Mayor Pilch Appointment)

Informational Only

5-5. Proclamation – National Suicide Prevention Awareness Month

Vice Mayor McQuaid recommendation: that the Council proclaim and recognize National Suicide Prevention Awareness Month

5-6. Proclamation – National Preparedness Month

Staff recommendation: that the Council proclaim and recognize National Preparedness Month

5-7. Albany Fire Department Inspection Compliance Report

Staff recommendation: that the Council adopt Resolution No. 2020-84, recognizing the Albany Fire Department's level of compliance with California Health and Safety Code Sections 13146.2 and 13146.3

5-8. Authorization to Submit a Grant Application to the Alameda County Transportation Commission for a COVID-19 Rapid Response Bicycle & Pedestrian Projects Grant
Staff recommendation: that the Council adopt Resolution No. 2020-85:
1. Authorizing staff to submit the Albany Priority Pedestrian Network Sidewalk Shaving Project to the Alameda County Transportation Commission for a FY20/21 COVID-19 Rapid Response Bicycle & Pedestrian Projects Grant; and
2. Authorizing the City Manager to execute a Funding Agreement with the Alameda County Transportation Commission upon grant award

5-9. Extension of the Exclusive Negotiating Agreement with Satellite Affordable Housing Associates

Staff recommendation: that the Council adopt Resolution No. 2020-88 authorizing the City Manager to execute one final six (6) month extension of the Exclusive Negotiating Agreement (ENA) between the City of Albany and Satellite Affordable Housing Associates for the completion of the Disposition and Development Agreement (DDA)

5-10. PA 18-037 Portland Kains Townhomes (634 Kains Avenue Northwest Corner of Portland & Kains Avenue) Affordable Unit Designation

Staff recommendation: information only; no action is required

5-11. Letters of Support for Assistance to Local Governments

Mayor Pilch & Vice Mayor McQuaid recommendation: that the Council note and file the letters as submitted

5-12. Letter to Alameda County Behavioral Health Services to address Mental Health Services Provision in Albany

SEJC recommendation: that the Council send a letter requesting that Alameda County Behavioral Health Services addresses and rectifies changes to mental health services in Albany

Staff recommendation: that the Council direct staff to work with the Mayor on a letter to Alameda County Behavioral Health Services to request a meeting to address changes to mental health services in Albany

5-13. Ocean View Tennis Court Commercial Use Fee Waiver for Albany Fitness Gyms

Staff recommendation: that the Council adopt Resolution No. 2020-89, authorizing a waiver of the Ocean View Tennis Court Commercial Use fee for Albany fitness gyms only to conduct non-contact fitness classes during the Alameda County COVID-19 Public Health Order

5-14. CIP Project 22000 Annual Sidewalk Rehabilitation: Sidewalk Rehabilitation Phase 3 Award Contract No. C20-64
Staff recommendation: that the Council adopt Resolution 2020-87 authorizing the City Manager to award Contract C20-64 to Mercoza in the not-to-exceed amount of $109,648.

5-15. 
Award Contract #C20-77 to CSG Consultants for Annual Sewer Rehabilitation Program (CIP No. 32000) Engineering & Project Management Services

Staff recommendation: that the Council adopt Resolution No. 2020-86, authorizing the City Manager to award contract #C20-77 to CSG Consultants in the amount of $234,000 for project management services for a term of one year using funds previously appropriated for the Annual Sewer Rehabilitation Program (CIP No. 32000) including the 2021 Sewer Rehab Project.

5-16. 
Letter of Opposition for AB6

Mayor Pilch & Vice Mayor McQuaid recommendation: that the Council note and file the letters as submitted.

5-17. 
Ratification of Police & Fire Pension Board Disbursements

From the Police & Fire Pension Board Quarterly Meeting on August 25, 2020 - Disbursement Reports: June, 2020 - $104,997.29; July 2020 - $107,571.33; August 2020 - $107,571.33

Staff recommendation: Ratify

5-18. 
Ratify Financial Advisory Committee Appointment

Judy Kerr was appointed to the Financial Advisory Committee by Mayor Pilch

Staff recommendation: Ratify

6. 
GOOD OF THE CITY/PUBLIC COMMENT
For persons desiring to address the City Council on an item that is not on the agenda. Please note that City policy limits each speaker up to three (3) minutes. The Mayor may reduce the time limit per speaker depending on the number of speakers. The Brown Act limits the Council’s ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

Comments related to items appearing on the agenda are taken up at the time the City Council deliberates each action item. The Mayor will announce when the period for public comment is open on each agenda item.

7. 
COUNCIL SUBCOMMITTEE REPORTS, COUNCIL MEMBER REPORTS ON APPOINTED REPRESENTATION OF ALBANY, AND OTHER MEETINGS AND EVENTS
Council Subcommittees report, if they have met, and Council Members provide reports on any local, state or regional government meetings at which they have represented the City of Albany. Council members may provide reports on any meetings and/or community events and activities.
they have attended or plan to attend that they believe may be of interest to the Council, staff, or public. The Mayor may invite citizens who represent Albany at such meetings to report as well.

Council Members are encouraged to provide staff with links and/or a written report of meetings attended in advance of the posting of the Council agenda to include with the agenda materials. The Council shall have the authority to take action regarding any agendized written recommendations provided under this agenda category as needed.

7-1. City Council Subcommittees:

<table>
<thead>
<tr>
<th>Council Subcommittees</th>
<th>Subcommittee Members</th>
<th>Last Report Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albany Waterfront Park (Albany Bulb)</td>
<td>Nason &amp; McQuaid</td>
<td>6/1/2020</td>
</tr>
<tr>
<td>Alta Bates Hospital</td>
<td>Pilch &amp; McQuaid</td>
<td>7/6/2020</td>
</tr>
<tr>
<td>Cannabis Ordinance</td>
<td>Maass &amp; Pilch</td>
<td>3/2/2020</td>
</tr>
<tr>
<td>Community Inclusivity</td>
<td>Pilch &amp; McQuaid</td>
<td>10/21/2019</td>
</tr>
<tr>
<td>San Pablo Avenue Corridor Project</td>
<td>Nason &amp; Pilch</td>
<td>10/7/2019</td>
</tr>
<tr>
<td>Youth Engagement</td>
<td>McQuaid &amp; Maass</td>
<td>02/18/2020</td>
</tr>
</tbody>
</table>

7-2. City Council Appointed Representation of Albany:

<table>
<thead>
<tr>
<th>Bodies</th>
<th>Appointee</th>
<th>Alternate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alameda County Mayors’ Conference</td>
<td>Pilch</td>
<td>McQuaid</td>
</tr>
<tr>
<td>Alameda County Transportation Commission</td>
<td>Pilch</td>
<td>Nason</td>
</tr>
<tr>
<td>Alameda County Waste Management Authority</td>
<td>Pilch</td>
<td>Maass</td>
</tr>
<tr>
<td>Association of Bay Area Government</td>
<td>Maass</td>
<td>Barnes</td>
</tr>
<tr>
<td>East Bay Community Energy JPA Board</td>
<td>Pilch</td>
<td>McQuaid</td>
</tr>
<tr>
<td>East Bay Sports Field Recreational Authority JPA</td>
<td>Maass</td>
<td>Barnes</td>
</tr>
<tr>
<td>Housing Authority of Alameda County</td>
<td>McQuaid</td>
<td>N/A</td>
</tr>
<tr>
<td>League of California Cities (East Bay)</td>
<td>McQuaid</td>
<td>Barnes</td>
</tr>
<tr>
<td>Alameda County Library Advisory Commission</td>
<td>Amy Apel</td>
<td>Sarah Levin</td>
</tr>
<tr>
<td>City/AUSD/UC - 2X2X2</td>
<td>Pilch</td>
<td>McQuaid</td>
</tr>
<tr>
<td>Police &amp; Fire Pension Fund Board</td>
<td>Pilch</td>
<td>McQuaid</td>
</tr>
<tr>
<td>Alameda County Paratransit Advisory &amp; Planning Committee (PAPCO)</td>
<td>Margaret Patterson</td>
<td>N/A</td>
</tr>
</tbody>
</table>

7-3. City Council Meetings and Events

8. CITY MANAGER REPORT
The City Manager provides verbal and/or written reports regarding matters of interest to the Council.

9. PRESENTATION
9-1. Amending the Second Year of the City of Albany Biennial Operating Budget Covering Fiscal Years 2019-20 to 2020-21

Staff recommendation: that the Council receive a presentation on current budget projections and associated proposed adjustments for the fiscal year 2020-21 budget, and provide direction on any next steps

10. PUBLIC HEARING

11. UNFINISHED BUSINESS

12. NEW BUSINESS

13. FUTURE AGENDA ITEMS

Council Members and City Manager note upcoming agenda items that may be of interest to the Council, staff, or public. Council Members may request that items be placed on a future agenda.

14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

14-1. Upcoming City Events – please check on City website www.albanyca.org under City Calendar web page for up-to-date information

14-2. Upcoming City Meetings

A. Working Group to Develop Community Policing & Relations Task Force, Thursday, September 10, 4:00 PM, Virtual Meeting via phone/video conferencing

B. Parks, Recreation & Open Space Commission Meeting, Thursday, September 10, 7:00 PM, Virtual Meeting via phone/video conferencing

C. Arts Committee Meeting, Monday, September 14, 7:00 PM, Virtual Meeting via phone/video conferencing

D. Library Board Meeting, Tuesday, September 15, 7:00 PM, Virtual Meeting via phone/video conferencing

E. Climate Action Committee Meeting, September 16, 7:30 PM, Virtual Meeting via phone/video conferencing

F. City Council Meeting, Monday, September 21, 7:30 PM, Virtual Meeting via phone/video conferencing

15. ADJOURNMENT

Per City Council Resolution No. 09-1, no Council meeting shall continue past 10:30 p.m. unless a two-thirds majority of the Council votes to extend the meeting to discuss specified items; and any motion to extend the meeting beyond 10:30 p.m. shall include a list of specific agenda items to be covered. Any
items not completed at a regularly scheduled Council meeting shall be continued to the next regular meeting or by a two-thirds majority vote of the Council to an adjourned regular meeting.

The Council agenda is posted for public inspection in advance of meetings at the City Hall, the Albany Community Center, and the Albany Senior Center. Agendas and supporting documents can also be found online at: www.albanyca.org. Supporting documents and any public comments received will be made available for public inspection online or via email request. If you have any questions pertaining to any agenda item or meeting procedure, please contact the City Clerk’s Office at 1 + (510) 528-5710 or cityclerk@albanyca.org.

Council and Commission meetings are broadcast live on KALB and streamed live on the City website and YouTube. Audio recordings of Committee meetings will be uploaded to the City website and YouTube within one week of each public meeting. Archives of past City meetings are available on the City website and YouTube. Please note that if you provide your name and address when speaking before the City Council it will become part of the official public record, which will be posted on the Internet and broadcast on KALB.

The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of a diverse community, and providing a safe, healthy and sustainable environment.

NOTICE

Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedure Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure 1094.6.

In compliance with the Americans with Disabilities Act (ADA), and State Law, if you need special assistance to participate in this meeting, please contact the City Administration Office 1 + (510) 528-5710. Notification 48 hours prior to the meeting where possible will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102.104 ADA Title II)". Upon request, we will provide written agenda materials in appropriate alternate formats, of disability related modification or accommodation, including auxiliary aids or services to enable individuals with disabilities to participate in public meetings. Please deliver a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two (2) days before the meeting where possible. Request should be sent to: cityclerk@albanyca.org or City Clerk, 1000 San Pablo Avenue, Albany, CA 94706.