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
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

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-D-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: 6:00PM

1. CALL TO ORDER

2. STUDY SESSION
   
2-1. Social & Economic Justice Commission Equity Impact Plan Interim Update

   Staff recommendation: that the Council receive the Equity Impact Plan Interim update and provide direction to the Social & Economic Justice Commission

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, September 8, 2020

   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: $ 111,967.17 (9/4/20); $79,089.15 (9/11/20)

   Staff recommendation: Ratify
5-4. Recommendation for the League of California Cities 2020 Annual Conference Resolutions

Vice Mayor McQuaid recommendation: that the Council authorize Vice Mayor McQuaid to use her discretion to vote at the League of California Cities Annual Conference when all information is available.

5-5. CIP No. 32000 – 2020 and 2021 Sanitary Sewer Rehabilitation Project: Award of Contract C21-07 for Engineering Design Services

Staff recommendation: that the Council adopt Resolution No. 2020-92, authorizing the City Manager to execute Contract No. C21-07 with Nute Engineering in the not-to-exceed amount of $288,500 for a two year contract for preliminary and final sewer rehabilitation design services, using previously appropriated funds for the Annual Sewer Rehabilitation Program (CIP No. 32000).

5-6. CIP No. 21000 Adams Street Paving Rehabilitation Project – Award of Construction Contract No. C20-47

Staff recommendation: that the Council adopt Resolution No. 2020-91 authorizing the City Manager to award Contract No. C20-47 to HM Construction to construct the Adams Street Paving Project for the not-to-exceed amount of $414,992.87 from previously appropriated funds in the Annual Street Rehabilitation Program budget (CIP No. 21000).

5-7. CIP Project No. 25011 – Lower Solano Avenue Curb Ramps Project, Award Contract No. C20-65

Staff recommendation: that the Council adopt Resolution No. 2020-94 to:

1. Reject Burch Construction’s bid for the Lower Solano Ave Curb Ramps Project as non-responsive; and
2. Ratify the Public Works Director’s determination that Burch Construction’s bid protest is baseless; and
3. Authorize Staff to spend Community Development Block Grant (CDBG) funding assigned to the project in the amount of $571,705.50; and
4. Authorize the City Manager to award Contract No. C20-65 – Lower Solano Ave Curb Ramps Project to Villalobos & Associates in the amount of $401,928.

5-8. Resolution Adopting a Code of Conduct for the 2020/2021 Solid Waste Collection Procurement Process

Staff recommendation: that the Council adopt Resolution No. 2020-93 adopting a Code of Conduct for the upcoming solid waste collection procurement process.
5-9. Advisory Body Appointment

Aaron Gach appointed to Arts Committee by Mayor Pilch

Staff recommendation: Informational only

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 Date</th>
<th>Report Date</th>
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<tbody>
<tr>
<td>Albany Waterfront Park (Albany Bulb)</td>
<td>Nason &amp; McQuaid</td>
<td>6/1/2020</td>
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<td>Alta Bates Hospital</td>
<td>Pilch &amp; McQuaid</td>
<td>7/6/2020</td>
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<td>Cannabis Ordinance</td>
<td>Maass &amp; Pilch</td>
<td>3/2/2020</td>
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<td>Community Inclusivity</td>
<td>Pilch &amp; McQuaid</td>
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<td>San Pablo Avenue Corridor Project</td>
<td>Nason &amp; Pilch</td>
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<td>Youth Engagement</td>
<td>McQuaid &amp; Maass</td>
<td>02/18/2020</td>
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7-2. City Council Appointed Representation of Albany:

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

Staff recommendation: that the Council receive a presentation from solid waste consultant HF&H and authorize staff to begin discussions with Waste Management of Alameda County regarding negotiation of an extension to the current Collection Services Agreement to include additional services

10. PUBLIC HEARING

10-1. Update on Residential and Commercial Moratorium on Evictions for Nonpayment of Rent and Rent Increases during COVID-19 Pandemic

Staff recommendation: that the Council let the commercial and residential eviction moratorium lapse on September 30, 2020 per the terms of Ordinance No. 2020-12

11. UNFINISHED BUSINESS
11-1. Updated Request by the Social & Economic Justice Commission to add demographic categories to the City Advisory Body Application

Social & Economic Justice Commission recommendation: that the Council:
1. Review the introductory text and categories of race and gender suggested in the resolution (Attachment 1) provided by the SEJC, and

2. Direct staff to create a voluntary self-disclosure of gender and racial characteristics that is either 1) included at the bottom of the application form (as done by Berkeley, Richmond, and San Francisco) or 2) is managed through a link to an offsite Google Form where applicants can fill in their information without it being attached to a specific application but only legible as a data point (which is the default Google Form setting), and

3. Direct staff to present this information to SEJC and to the Council in early 2021, to focus discussions for improved recruitment of people from any under-represented categories

Staff recommendation: that the Council provide direction to staff on the Social & Economic Justice Commission’s suggested addition of text and categories of race and gender to the City Advisory Body application and the development of a system to report the information collected

11-2. Request by the Social and Economic Justice Commission to increase Commission membership

Social & Economic Justice Commission recommendation:

Whereas the Social and Economic Justice Commission has taken on additional work in response to the Council’s charge to devise an equity action plan to address systemic racism in Albany, and

Whereas the SEJC would benefit not only from additional members but particularly from members with a diverse range of experiences, and

Whereas the SEJC particularly wishes to ensure that younger voices are represented in its discussions,

We ask Council to authorize an increase to the Social and Economic Justice Commission membership to include 2 at-large members with emphasis on appointing members that represent the diversity of the City and a student-age member.

12. NEW BUSINESS
12-1. Recommendations from Working Group to Develop a Community Task Force on Policing

Staff recommendation: that the Council review the draft framework to develop a Community Task Force on Policing framework as recommended by the working group and provide direction to staff on next steps

12-2. Threatened Litigation under the California Voting Rights Act

Staff recommendation: that the Council receive and file this report

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. Planning & Zoning Commission Special & Regular Meeting, Wednesday, September 23, 5:00 PM, Virtual Meeting via phone/video conferencing

B. Transportation Commission Meeting, Thursday, September 24, 7:00 PM, Virtual Meeting via phone/video conferencing

C. Climate Action Committee Special Meeting, Wednesday, September 30, 5:30 PM, Virtual Meeting via phone/video conferencing

D. Economic Development Committee Meeting, Thursday, October 1, 5:00 PM, Virtual Meeting via phone/video conferencing

E. City Council Meeting, Monday, October 5, 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](http://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.