



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, April 15, 2024

SPECIAL MEETING – OPEN SESSION: 6:00 PM

1. CALL TO ORDER / ROLL CALL

Vice Mayor López read the Albany Land Acknowledgement Statement as adopted by the City Council per City of Albany Minute Action, November 15, 2021.

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

Absent: None

2. STUDY SESSION

2-1. Annual Sugar-Sweetened Beverage (SSB) Tax Study Session

Staff Recommendation: That the Council:

1. Receive a status update on FY2024 funded programs;
2. Conduct a study session to receive input and recommendations for the expenditure of FY2025 proceeds from the Sugar-Sweetened Beverage Tax;
3. Provide a preliminary prioritization of items to be funded with the tax proceeds in FY 2025.

Assistant City Manager Isabelle Leduc presented the staff report. The Council approved the Fiscal Year (FY) 2024 Sugar-Sweetened Beverage (SSB) Tax Expenditure Plan in the amount of \$281,890 to provide funding for the Crossing Guards Program, Healthy Me Music & Movement (Healthy Me), Bike Safety Program, All-bany Swims, Move 'n' Groove, and Bike Link locker access hubs. For FY2024, expenditures are estimated to be less than \$281,890 but greater than the projected revenue of \$215,000.

The Parks, Recreation & Open Space (PROS) Commission, Racial Inclusivity & Social Equity (RISE) Commission, Transportation Commission (TC), Albany Unified School District (AUSD), and public have submitted recommendations for use of SSB revenue in FY2025. Recommendations support funding for the Crossing Guards Program, Healthy Me, Bike Safety Program, Move 'n' Groove, and All-bany Swims. New proposals for funding are a sand volleyball court at Ocean View Park, water-bottle filling station at Ocean View Park, inclusive swings at Ocean View and Memorial Parks, encouraging active transportation for residents of the new Satellite Affordable Housing Associates (SAHA) housing project, and Gill Tract Community Farm Program for AUSD students.

Staff projects FY2025 SSB revenue will total approximately \$225,000. The SSB Tax is general fund revenue, and approved expenditures are incorporated in the City's annual operating budget. Unspent SSB revenue is rolled into the general fund at the end of the fiscal year and may be used for general operating expenses. Allocating expenditures greater than revenue in any given year will exacerbate any potential budget deficit and reduce the amount of funding for other core services. The Financial Advisory Committee (FAC) recommends the Council allocate no more revenue than is budgeted in any given year and not consider any previous years' surplus as additional funding to be used in



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future years. SSB revenue collected through February 2024 has declined, and staff considered this in estimating FY2025 revenue.

Based on direction from the Council, staff will develop more detailed cost estimates for projects and programs prioritized by the Council for inclusion in the City's budget.

A summary of public comment is as follows: support for the PROS Commission's recommendations, the Gill Tract Community Farm Program, AUD's recommendations, All-bany Swims, and sand volleyball court; one-day events do not fulfill the purpose of the SSB tax.

A summary of Council comment is as follows: a suggestion for staff to engage UC Berkeley regarding funding for the Crossing Guards Program; several options suggested of how to allocate the SSB revenue, with additional funds considered from UC Berkeley funding and the Council discretionary fund.

City Manager Nicole Almaguer reported UC Berkeley funding has been included in the annual budget with \$200,000 allocated to a reserve fund for fire engine apparatus and \$400,000 to the general fund.

The Council reached consensus to allocate a combination of SSB revenue, Council discretionary funds, and UC Berkeley funds as follows: \$225,000 for the Crossing Guards Program, \$35,844 for the Gill Tract Community Farm Program, \$5,000 for Move 'n' Groove, and full funding for All-bany Swims, Bike Safety Program, and water-bottle filling station at Ocean View Park. If funding fails to meet the amount required for these allocations, funding for the Gill Tract Community Farm Program may be reduced from \$35,844 to \$17,000.

ADJOURNMENT OF SPECIAL MEETING – OPEN SESSION

REGULAR MEETING: 7:42 PM

1. **CALL TO ORDER / LAND ACKNOWLEDGEMENT**

Council Member Jordan 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**



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5. CITY MANAGER REPORT

City Manager Nicole Almaguer reported the City has provided its annual progress report to the California Department of Housing and Community Development (HCD) regarding housing development throughout the City. The Albany Community Expo is scheduled for April 27, 2024, at the Community Center. A Community Tree Survey and a Kains and Adams Bikeway Pilot Project Public Feedback Survey are underway, and responses will help inform the Street Tree Management Plan and next steps for the pilot project, respectively. The Albany Citywide Garage Sale is planned for May 4, 2024. Move 'n' Groove event will be held on April 14, 2024. The Solano Avenue Association will host Spring on Solano on April 21, 2024.

6. GOOD OF THE CITY / PUBLIC COMMENT

Mayor Miki opened the Good of the City.

A summary of public comment is as follows: support for a ban on the sale of all tobacco products in Albany; support for a tree protection ordinance; a suggestion and support for the City to extend the noticing distance for large development projects.

Mayor Miki noted Vice Mayor López previously requested an agenda item regarding a tree protection ordinance.

7. CONSENT CALENDAR

7-1. Minutes – March 25, 2024 & April 1, 2024

Staff Recommendation: Approve

7-2. Ratification of Payroll – Date Paid 4/5/2024: Net Amount \$411,744.34, Taxes/Benefits/Deductions \$435,934.82, Total Payroll \$847,679.16

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 \$241,200.27 (3/29/2024), \$660,178.49 (4/5/2024)

Staff Recommendation: Ratify

7-4. Advisory Body Appointment for City Council Ratification:

- Kris Libunao recommended for appointment to the Planning & Zoning Commission by Vice Mayor López



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7-5. AB 481 – California Government Code § 7072 Compliance

Staff Recommendation: That the Council:

1. Accept this annual military equipment report;
2. Review and renew Ordinance No. 2022-02.

7-6. Parking Enforcement Vehicle Purchase

Staff Recommendation: That the Council adopt Resolution No. 2024-21, approving the purchase of one GO-4 Interceptor parking enforcement vehicle utilizing CIP funds, at a cost not to exceed \$41,000

Mayor Miki asked if anyone wishes to remove items from the consent calendar. A member of the public removed Item 7-6.

A summary of public comment is as follows: an inquiry as to whether the Interceptor is electric.

Mayor Miki advised that staff explored an electric Interceptor and found that it has significant mechanical issues.

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

9. PUBLIC HEARING

10. UNFINISHED BUSINESS

10-1. Revenue Measures for Funding Core City Services – Sidewalk Parcel Tax

Staff Recommendation: That the Council receive a follow-up presentation regarding the proposed Sidewalk Parcel Tax extension and provide direction for the ballot measure to be prepared

Public Works Program Manager Devora Zauderer presented the staff report. In March 2024, staff presented a proposal to renew the Sidewalk Parcel Tax utilizing the current methodology, increasing revenue by 50%, increasing the scope of the Sidewalk Repair Program, and extending the term 10 years. The Council directed staff to analyze an



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alternative methodology, a 10-year term beginning in FY2025/26, a 3% annual escalator, and inclusion of repair of Class I multiuse pathways.

Updated tax models were presented for Council consideration. Prior to the Council meeting, Council Member Jordan suggested staff incorporate an annual cap of \$6,000 per parcel (Alternative 3), which resulted in a 50% increase in tax revenues. Staff developed Alternative 4 utilizing a \$6,000 cap and a 63% revenue increase to determine the rate per square foot. Residential real properties would pay the most tax under Alternative 1 and the least tax under Alternative 2 with Alternatives 3 and 4 falling between Alternatives 1 and 2. Non-residential real properties would pay the most tax under Alternative 2 and the least tax under Alternative 1 with Alternatives 3 and 4 falling between the two. The Golden Gate Fields property is the largest non-residential parcel in Albany, and its uncertain future could impact the tax revenue.

Staff recommended renewing the Sidewalk Parcel tax for 10 years and increasing the tax revenue 63% by utilizing a 3% annual escalator and a methodology directed by Council in order to continue and expand the scope of the Sidewalk Repair Program.

A summary of Council comment is as follows: a suggestion to adjust the cap and the tax rate so that a loss of revenue from Golden Gates Fields does not affect greatly the total tax revenue; interest in learning the methodology for calculating the tax for condo/townhouse/multifamily; concern about increasing the tax revenue by 63% rather than 50%; a proposal to exempt very-low-income property owners and to exempt half the tax for low-income property owners; a suggestion to exempt a portion of the tax for moderate-income property owners.

MOTION:

Moved by Council Member Jordan, seconded by Council Member Tiedemann, to direct staff to prepare a ballot measure utilizing Alternative 4 with an annual cap based on a 400,000-square-foot parcel (rounded to the nearest \$1,000), the rate per lot square foot based on a full-exemption rebate for very-low-income property owners and a half-exemption rebate for low-income property owners, and a rate that increases total tax revenue to 63% plus half the amount of tax revenue paid by Golden Gate Fields.

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

NOES: None

Motion carried and so ordered.

11. NEW BUSINESS



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12. COUNCIL SUBCOMMITTEE REPORTS, COUNCIL MEMBER REPORTS ON APPOINTED REPRESENTATION OF ALBANY, AND OTHER MEETINGS AND EVENTS

City Council Appointed Representation Bodies	Appointee	Alternate
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

Council Member Tiedemann reported the Association of Bay Governments (ABAG) Housing Committee passed an expenditure plan for the regional bond and reviewed bond polling, and the ABAG Legislation Committee had a discussion on Senate Bill (SB) 1031.

Vice Mayor López reported the Alameda County Mosquito Abatement District welcomed a new member at its meeting.

Council Member Jordan reported the Alameda County Transportation Commission (ACTC) Programs, Policy and Legislative Committee included a discussion of an expenditure plan and sidewalk repairs.

Mayor Miki reported receiving a presentation from Ava Community Energy at the Alameda County Mayors' Conference, and at its Bylaws Committee meeting, a discussion of the requirements for appointments to regional bodies was included.

13. FUTURE AGENDA ITEMS

None.

14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

Upcoming City Meetings

1. Climate Action Committee Meeting, Wednesday, April 17, 7:00 PM, City Hall Council Chambers



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2. Policing Commission Meeting, Thursday, April 18, 7:00 PM, City Hall Council Chambers
 3. Police and Fire Pension Board Meeting, Tuesday, April 23, 3:00 PM, City Hall Council Chambers
 4. Planning & Zoning Commission Meeting, Wednesday, April 24, 7:00 PM, City Hall Council Chambers
 5. Transportation Commission Meeting, Thursday, April 25, 7:00 PM, City Hall Council Chambers
 6. Financial Advisory Committee Meeting, Wednesday, May 1, 7:00 PM, City Hall Council Chambers
 7. City Council Meeting, Monday, May 6, 7:00 PM, City Hall Council Chambers

Council Member Hansen-Romero noted Coffee with a Cop will occur on April 16, 2024.

15. ADJOURNMENT

9:03 PM There being no further business before the City Council, Mayor Miki adjourned the meeting with contact information for crisis intervention.

Minutes submitted by Anne Hsu, City Clerk.

John Miki
Mayor

Attest:

Anne Hsu, City Clerk