



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, November 18, 2024

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

Council Member Tiedemann 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

4-1. Proclamation – Native American Heritage Month

Vice Mayor López read the proclamation.

4-2. Community Emergency Response Team (CERT) Graduation

Fire Chief James Boito and Mayor Miki presented certificates to graduates.

5. CITY MANAGER REPORT

City Manager Nicole Almaguer reported the community survey for the Active Transportation Plan (ATP) update is available at bit.ly/AlbanyATP, and the deadline is November 26, 2024. The open house for the ATP update held on October 24, 2024 will be recapped at the December 5, 2024 Transportation Commission meeting. High Efficiency Electric Home Rebate Act (HEEHRA) rebates are available for multifamily and single-family households with qualifying incomes. Information is available on the TECH Clean California website. The Recreation Department will host Winter Wonderland on December 8, 2024. The Public Works Department has been removing graffiti and beautifying BART pillars. In addition, the Public Works Department has received the electric lawn mower authorized by Council. Improvements at the Memorial Park dog park began November 12, 2024. Due to rain, pavement repairs to the Buchanan Bridge have been rescheduled to November 25 or 26, 2024.

6. GOOD OF THE CITY / PUBLIC COMMENT

Mayor Miki opened the Good of the City.

A summary of public comment is as follows: Government Code § 65008 is immaterial to varying notification distances for proposed new construction projects; interest in the Council declaration of a climate emergency; a request for the Council to discuss shorter term limits for Council Members; concern regarding the negative campaign for Measure R.



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7. CONSENT CALENDAR

7-1. Minutes – October 21, 2024

Staff Recommendation: Approve

7-2. Ratification of Payroll

1. Date Paid 10/18/2024: Net Amount: \$440,470.14, Taxes/Benefits/Deductions \$467,918.53, Total Payroll: \$908,388.67
2. Date Paid 11/1/2024: Net Amount \$432,039.26, Taxes/Benefits/Deductions \$462,603.17, Total Payroll \$894,642.43

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 \$617,391.30 (10/18/2024), \$326,802.12 (10/25/2024), \$73,658.74 (11/1/2024), \$497,601.31 (11/8/2024)

Staff Recommendation: Ratify

7-4. Conflict of Interest Code Update

Staff Recommendation: That the Council adopt Resolution No. 2024-77, approving and adopting the amended Conflict of Interest Code pursuant to the Political Reform Act of 1974

7-5. Additional Authorization of Funding for the Albany Hill Eucalyptus Project (CIP No. 41015)

Staff Recommendation: That the Council adopt Resolution No. 2024-78, authorizing appropriation of \$100,000 from remaining Measure R Open Space capital funds to the Albany Hill Eucalyptus Project (CIP No. 41015), and authorizing the City Manager to sign Change Order #1 to Contract No. C23-40 in the amount of \$46,350

7-6. Public Works Annual Maintenance Contract Renewal: Karla's Janitorial Services, Contract C18-62

Staff Recommendation: That the Council adopt Resolution No. 2024-79, authorizing the City Manager to execute Amendment #10 to Contract No. C18-62 with Karla's Janitorial Services, extending the contract for an additional year, and increasing the contract amount by \$236,745.06, using funds appropriated as part of the Public Works Operating Budget



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7-7. Annual Sidewalk Rehabilitation Program (CIP No. 22000) Phase 9 – Contract No. C24-24 Closeout and Filing of Notice of Completion

Staff Recommendation: That Council adopt Resolution No. 2024-80, authorizing the City Manager to:

1. Accept the improvements completed in Contract No. C24-24; and
2. File the Notice of Completion with the County Recorder's Office

Mayor Miki asked if anyone wished to remove items from the consent calendar. Members of the public removed Item 7-4.

A summary of public comment is as follows: a request for public education regarding conflicts of interest; inquiries regarding required reporting of income and investments, Mayor Miki's past recusals.

A summary of Council comment is as follows: Council Members complete Form 700 annually to disclose income, investments, and gifts.

MOTION:

Moved by Council Member Tiedemann, seconded by Council Member Jordan, 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

8-1. American Rescue Plan Act (ARPA) Program Update

Staff Recommendation: That the Council receive an update on programs and services funded with ARPA

Assistant City Manager Isabelle Leduc presented the staff report. Pursuant to U.S. Department of Treasury guidance, the Council should receive an annual update regarding programs that receive funds through the American Rescue Plan Act (ARPA). The Council last received an update in September 2023. Over the next year, staff will continue to assess ARPA funded programs and present a comprehensive assessment of Community Services' programs, budget, and pressing needs. With ARPA funding scheduled to end in December 2026, staff will need to wind down programs or identify other funding to sustain programs.

Recreation & Community Services Supervisor Kate Miller and Assistant to the City Manager Brennen Brown collaboratively reported that the City received \$4.7 million in one-time funds to assist with public health and economic recovery due to COVID. The Council appropriated approximately \$1.7 million for the Small Business Assistance



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Program, \$3 million for the Public Assistance Programs, and \$30,000 for Information Technology (IT) infrastructure projects. Approximately 62% of funds have been expended.

A summary of public comment is as follows: inquiries regarding the Financial Assistance Program and the City's ability to partner with other agencies; a request regarding funding for each program; concern about imposing taxes to continue funding the programs.

Recreation & Community Services Supervisor Kate Miller stated staff would provide a breakdown of assistance provided through programs. Staff is currently referring two or three tenants per week for rental assistance; six applications are pending. The Financial Assistance Program provides one-time funding and financial counseling. Staff has worked with CalFresh and Alameda County Social Services and shared information about local food programs with recipients. Many of the recipients receive food from several sources.

A summary of Council comment is as follows: the programs assist residents with basic needs, and the services will be needed long after all ARPA funds are spent; the programs provide counseling, resources, contacts as well as funding; a preference to prioritize extension of the Financial Assistance Program as long as possible.

9. PUBLIC HEARING

10. UNFINISHED BUSINESS

11. NEW BUSINESS

11-1. Review of Advisory Bodies to the City Council

Staff Recommendation: That the Council conduct a review of the advisory bodies to the City Council to consider sunseting or changes to existing advisory bodies, creation of new advisory bodies, and provide direction to staff on such and any next steps including the possibility of establishing Committees of the City Council in lieu of advisory bodies

City Clerk Anne Hsu presented the staff report. The Council typically conduct a review of advisory bodies every two years, most recently done in November 2022. Currently, the Council has nine advisory bodies. The Council may consider sunseting an advisory body, forming Council Ad Hoc or Standing Committees, revising advisory bodies' charges, establishing new advisory bodies or evolving existing advisory bodies, the effectiveness of the current appointment process and number and type of appointments, and revisions to the Advisory Body Handbook regarding advisory bodies' status reports to Council. Staff requests Council direction regarding changes to advisory bodies during the current meeting so that changes may be implemented prior to the upcoming two-year term for advisory bodies.



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A summary of public comment is as follows: a request for the Council to form a subcommittee to address the budget and unfunded pension liability; support for Council subcommittees in the areas of budget, public safety, and equity and for requiring adults affiliated with students to be residents of Albany.

A summary of Council comment is as follows: support for sunsetting the Financial Advisory Committee (FAC) and forming a Council Financial Standing Committee; a proposal to sunset the Policing Commission (PC) and form a Council Ad Hoc Committee for public health and safety; a recommendation to form a Council subcommittee to review applications for Council as a Whole appointments; concern for requiring adults affiliated with students to be a resident in Albany; a suggestion to revise the Advisory Body Handbook to include upcoming or anticipated topics and status report information, as suggested by staff .

MOTION:

Moved by Council Member Tiedemann, seconded by Mayor Miki, to sunset the Financial Advisory Committee and form a Council Finance and Budget Standing Committee.

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

NOES: None

Motion carried and so ordered.

MOTION:

Moved by Council Member Tiedemann, seconded by Vice Mayor López, to sunset the Policing Commission and form a Council Public Safety Standing Committee.

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

NOES: None

Motion carried and so ordered.

11-2. Environmental, Social & Governance (ESG) Investment Policy

Council Member Tiedemann Recommendation: That the Council direct staff to:

1. Draft an Environmental, Social & Governance (ESG) investment policy with our City Portfolio manager;
2. Divest the City from our investments in certain non-ESG industries; and
3. Develop a regular process to update Council or a Standing Committee of Council on the City's management of our investments

Council Member Tiedemann presented his memorandum. An ESG investment policy (Policy) would ensure the City's investments align with community values. Investments in oil, gas, aerospace, and defense industries do not comport with community values. The City Portfolio manager could explore potential issues with investments and, in consultation with staff, recommend Council action.



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A summary of public comment is as follows: a Policy would not affect the Council's fiduciary responsibility to maximize return on investment; support for a Policy; the proposal should be presented to the incoming Council; the Council should understand the year-end composition of the City's portfolio and fees before considering a Policy; a recommendation to limit direction to staff to divestment of fossil fuel investments and to obtain community input regarding investment in weapons manufacturers.

Council Member Tiedemann clarified that the proposal is to direct staff to develop a Policy with the City portfolio manager and to present it to the Council for approval and divest as quickly as possible investments in the oil and gas industries. Weapons manufacturers produce firearms that harm and kill people in the United States. Fossil fuels pollute Albany's environment and harm Albany's citizens.

Mayor Miki advised that the incoming Council would review a proposed Policy.

A summary of Council comment is as follows: a preference for the Policy to state firearms and munitions manufacturers rather than weapons manufacturers and to include industries or companies in which the City should invest.

MOTION:

Moved by Council Member Tiedemann, seconded by Vice Mayor López, to direct staff to draft an Environmental, Social & Governance investment policy with the City Portfolio manager and return to the Council with additional information.

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

NOES: Mayor Miki

Motion carried and so ordered.

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



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Council Member Tiedemann reported the Ava Community Energy Joint Powers Authority (JPA) Executive Board met and discussed a contract extension with the Sacramento Municipal Utility District (SMUD) and its Resilience Hub initiative. The Association of Bay Area Government (ABAG) Legislative Committee discussed election results for building, housing, and transportation measures. The ABAG Housing Committee also met and discussed the Bay Area Housing Finance Authority's (BAHFA) rental assistance pilot program and next steps for Regional Measure 4. The ABAG Executive Committee discussed the San Francisco Bay Trail and Plan Bay Area 2050+.

Mayor Miki advised that he attended the ATP open house, Path to Belonging events, the Albany Middle School crafts fair, and the North Basin Strip community meeting. A community survey for the North Basin Shoreline Improvements Project is available at ebparks.org.

13. FUTURE AGENDA ITEMS

None.

14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

Thanksgiving Holiday – Thursday, November 28, 2024 & Friday, November 29, 2024 (City Offices Closed)

Upcoming City Meetings

1. Climate Action Committee Meeting, Wednesday, November 20, 7:00 Pm, City Hall Council Chambers
2. Policing Commission Meeting, Thursday, November 21, 7:00 PM, City Hall Council Chambers
3. City Council Meeting, Monday, December 2, 7:00 PM, City Hall Council Chambers

15. ADJOURNMENT

10:47 PM There being no further business before the City Council, Mayor Miki adjourned the meeting with contact information for mental health crisis specialists.

Minutes submitted by Anne Hsu, City Clerk.

John Miki
Mayor

Attest:

Anne Hsu, City Clerk