



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, November 6, 2023

SPECIAL MEETING – OPEN SESSION: 6:05 PM

1. CALL TO ORDER/ROLL CALL

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

Absent: None

2. STUDY SESSION

2-1. Study Session on New Solid Waste Collection Service Agreement and Amended Disposal Agreement

Staff Recommendation: That the Council receive a presentation from solid waste consultant, R3 Consulting Group, Inc. (R3), and direct staff to negotiate the final terms and conditions of a new solid waste collection service agreement and amendment to the Processing, Transfer and Disposal Service Agreement with Waste Management of Alameda County (WMAC)

Community Development Director Jeff Bond presented the staff report.

Garth Schultz, R3 Consulting Group, Inc., reported the City's contract with Waste Management of Alameda County (WMAC) to collect and dispose of solid waste was approved in 2011. Senate Bill (SB) 1383 requires organics recycling, standard colors and labels for bins, contamination monitoring and inspection, recordkeeping, reporting, and technical assistance for multifamily dwellings and businesses, all of which the City has been discussing with WMAC since 2020. The solid waste industry has seen increases in the cost of service and rate increases not covering the cost of service over the past 10-15 years.

The City has negotiated a new 15-year Collection Services Agreement (CSA) beginning May 1, 2024 with an option for one five-year extension, an extension of the Disposal Agreement to be coterminous with the CSA, coverage of SB 1383 program and service needs, new and enhanced programs and services, and increases in rate revenues to cover costs and a fair profit. SB 1383 programs and services include standard containers or lids and labeling, procurement and delivery of recycled organic waste product, public education, outreach, technical assistance, food pails for multifamily tenants, and contamination monitoring, reporting, and data tracking. The negotiations also resulted in a full-time recycling coordinator position, new outreach and education resources, bulky item collection for multifamily dwellings, bulky item reuse/hard-to-recycle program, vehicle upgrades and transition to zero-emission vehicles, abandoned waste collection, special events collection, performance reviews, and a contracting payment.

Under the proposed contract, residential rates will apply to multifamily dwellings of less than five units. WMAC will discontinue 10-gallon garbage service and the senior discount and implement a low-income discount for ratepayers enrolled in the PG&E CARE program. The cost of 20-gallon garbage service will be set at 90% of the 32-gallon rate.



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The base rate for residential customers will increase by 28% effective May 1, 2024 with annual increases thereafter. For multifamily and commercial ratepayers, garbage rates will also increase by 28% effective May 1, 2024, and a recycling rate equal to 50% of the equivalent garbage rate will be implemented. The recycling and organics rates will increase to 70% and 90% of the equivalent garbage rate in May 2025 and May 2026 respectively.

Roll-off rates for garbage will increase by 28% in May 2024 with recycling and organics charged at garbage rates. Beginning in 2025, annual rate increases will have a 2% floor and a 7.5% cap. WMAC will implement contamination and overage surcharges and work with the City to right size service for habitual overages. In addition, special assessments for multifamily dwellings will be implemented. Tipping fees will increase for garbage, recycling, and organics.

A summary of Council comment is as follows: the Refuse Rate Index (RRI) may not be the correct index for rate increases; the increases will be steep; perhaps the conversion from 10-gallon to 20-gallon service can be phased; a WMAC employee serving as the recycling coordinator may not benefit ratepayers; the rate increases are not as large when viewed as dollar amounts rather than percentages; if the CSA and Disposal Agreement are coterminous, the City could have more flexibility and options for negotiating a new waste contract

MOTION:

Moved by Council Member Jordan, seconded by Council Member López, to direct staff to negotiate the final terms and conditions of a new solid waste Collection Service Agreement and amendment to the Processing, Transfer and Disposal Service Agreement with Waste Management of Alameda County (WMAC) with additional goals to 1) explore City staff filling the recycling coordinator position or develop performance metrics for a WMAC employee serving as recycling coordinator and 2) phase the cost of transitioning from 10-gallon to 20-gallon garbage service.

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

NOES: None

Motion carried and so ordered.

3. ADJOURNMENT OF SPECIAL MEETING – OPEN SESSION

REGULAR MEETING: 7:24 PM

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

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



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2. ROLL CALL

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

Absent: None

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

4. CEREMONIAL MATTERS

5. CITY MANAGER REPORT

City Manager Nicole Almaguer reported a workshop regarding Albany Hill is scheduled for November 8, 2023 at the Senior Center. More than 100 people attended Coffee With a Cop as part of the Halloween on Solano event. Also on October 31, Albany Police Department distributed glow sticks, reusable reflectors, and glow-in-the-dark bracelets to trick-or-treaters. Phase 7 of the Annual Sidewalk Repair Program is complete, and Phase 8 will begin in November or December 2023. The 2023 Sanitary Sewer Rehabilitation Project is scheduled to begin in November 2023, and the Storm Drain Repair Project is scheduled to begin in December 2023. The Pavement Maintenance and Repair Project has been delayed until spring 2024. Turf maintenance for parks and ball fields will occur over the winter months.

6. GOOD OF THE CITY / PUBLIC COMMENT

Mayor Tiedemann opened the Good of the City.

A summary of public comment is as follows: a proposal to change the 5% cap on rent increases to 1% for seniors; a request for the Council to declare a climate emergency.

Mayor Tiedemann indicated the cap on rent increases was set by the State, and the Council will consider renter protections as part of the Housing Element discussion.

7. CONSENT CALENDAR

7-1. Minutes – October 16, 2023

Staff Recommendation: Approve

7-2. Ratification of Payroll – Date Paid 10/20/2023: Net Amount \$394,218.56, Taxes/Benefits/Deductions \$419,718.54, Total Payroll \$813,937.10

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 \$310,869.59 (10/13/2023), \$514,737.28 (10/20/2023), \$124,204.60 (10/27/2023)



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Staff Recommendation: Ratify

7-4. AARP Network of Age-Friendly Communities Application

Staff Recommendation: That the Council adopt Resolution No. 2023-72, authorizing staff to complete the application and send a letter of commitment to join the AARP Network of Age-Friendly State and Communities

7-5. Annual Sidewalk Rehabilitation Program (CIP No. 22000) – Contract No. C23-09 Contract Change Order #2 (Phase 8)

Staff Recommendation: That Council adopt Resolution No. 2023-73:

1. Authorizing the City Manager to execute CCO#2 to Contract No. C23-09 with Villalobos in the not-to-exceed amount of \$159,300;
2. Appropriating \$229,000 for the Annual Sidewalk Rehabilitation Program (CIP No. 22000) and adjusting the program budget accordingly

Environmental Clearance

This Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 “Existing Facilities” of the CEQA Guidelines, which exempts the repair, maintenance, and minor alteration of streets, sidewalks, pedestrian crossings, and street trees.

Mayor Tiedemann asked if anyone wishes to remove items from the consent calendar. Council Member Jordan removed Item 7-4.

Item 7-4: City Manager Almaguer reported that added costs and resources needed to implement programs would be identified and presented to the Council in upcoming budget processes. The immediate cost will be staff time.

A summary of Council comment is as follows: AARP offers resources and incredible programs.

MOTION:

Moved by Council Member Jordan, seconded by Council Member Hansen-Romero, to approve the consent calendar.

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

NOES: None

Motion carried and so ordered.

8. PRESENTATION

8-1. Presentation from AC Transit – Realign Bus Service Network Plan Update



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Steven Jones and Owen Goetze, AC Transit, reported the Realign Bus Service Network Plan (Realign) is AC Transit's effort to remake the transit network to best meet the needs of riders. Community feedback is essential to creating a system that is equitable and that meets riders' needs. AC Transit serves 1.5 million people across 13 cities and eight unincorporated areas. In Phase 1 of Realign, AC Transit staff surveyed more than 15,000 riders and community members and utilized the results to identify three core principals: equity, reliability, and frequency. Phase 3 is sharing draft service scenarios with the public. The balanced coverage scenario simplifies routes. The frequent service scenario reduces service on lesser-used lines. The unconstrained scenario presents a vision for service with a significant increase in resources.

The frequent service scenario proposes discontinuing Line 72R; increasing the frequency of Line 72/72M service; extending Line 18 service to Montclair via Park Boulevard; replacing Line 79 service along Colusa Avenue with a new Line 27 from El Cerrito Plaza BART to downtown Berkeley, Ashby Avenue, and Emeryville Amtrak; instituting a new Line 52 from Albany Village to UC Berkeley and North Shattuck; and extending Line 12 to Berkeley Marina.

Under the balanced coverage scenario, Line 7 will provide service from UC Berkeley to Emeryville Amtrak. A redesigned Line L will maintain service in Albany and extend service to the Richmond Parkway Transit Center. Line G will remain on Solano Avenue.

Public comment regarding the proposals can be submitted through December 13, 2023. More information is available at actransit.org/realign.

A summary of public comment is as follows: a suggestion for more public outreach; Albany is a good place to implement shorter, looping routes; a question regarding the use of smaller buses or vans.

Mr. Goetze explained that the primary cost of bus service is paying operators. Consequently, the use of smaller buses does not provide a large cost savings.

A summary of Council comment is as follows: a desire for more service along Pierce Street and trash receptacles at all bus stops; inquiry on realignment of bus lines to serve BART stations; extending one of the proposed lines to Pierce Street and UC Village would be advantageous; robo shuttles may be a future option for service in Albany;

9. PUBLIC HEARING

9-1. Public Hearing for Amendments to the Transportation Element of the General Plan and Amendments to Chapter 20 Sections 20.08, 20.12, 20.20, 20.24, 20.28, 20.40 and 20.100 of the Zoning Ordinance to Modify Off-Street Parking Regulations – First Reading

Staff Recommendation: That the Council:



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1. Approve Resolution No. 2023-59, amending the Transportation and Land Use Elements of the General Plan to reflect implementation of new parking standards and related updates;
2. Introduce and waive first reading of Ordinance No. 2023-06, amending the Zoning Ordinance to remove minimum parking requirements citywide in response to Assembly Bill (AB) 2097;
3. Confirm whether to establish maximum parking requirements, currently drafted as an optional section within Ordinance No. 2023-06.

Environmental Review

These General Plan and Zoning Ordinance amendments are within the scope of the General Plan Environmental Impact Report (EIR) that was certified in April 2016. The EIR contemplated revisions to parking standards over time, including those that resulted in Measure D, which modified minimum parking requirements. Moreover, parking is no longer an impact topic under the California Environmental Quality Act (CEQA).

Additionally, on February 21, 2023, the City Council adopted an Addendum to the General Plan EIR to analyze potential impacts of the 2023-2031 Housing Element. This evaluation included implementation of Housing Element Program 4.E, described herein, to revise minimum and maximum parking requirements. The Addendum to the General Plan EIR is also available at <https://www.albanyca.org/departments/planning-zoning/housing-element>.

Jean Eisberg, Lexington Planning, presented the staff report. Assembly Bill (AB) 2097 eliminates minimum parking requirements for most uses within a half mile of public transit and applies to most of the City of Albany. As a result, staff proposes to eliminate parking minimums citywide except for the Waterfront District. Recent guidance from the Association of Bay Area Governments and Metropolitan Transportation Commission (ABAG/MTC) would exempt the City of Albany from criteria identified in the Transit-Oriented Communities (TOC) Policy for cities located within a half mile of transit. As the criteria have not been finalized; staff has removed parking maximums within a half mile of BART from consideration.

Proposed amendments to the General Plan revise the Transportation and Land Use Elements, acknowledge changes in state law pursuant to AB 2097 and accessory dwelling unit (ADU) legislation, and reflect program implementation completed to date. Proposed amendments to the Zoning Ordinance broaden purpose statements, eliminate minimum parking requirements, reorganize sections, and remove processes that are no longer relevant.

Following the Council's review in July 2023, staff made minor revisions throughout the Zoning Ordinance Chapter 20, added a general statement regarding transportation demand management (TDM) measures, simplified Waterfront District parking requirements, applied standards for mechanical lift and future parking conversions,



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removed separate maximum standards within a half mile of the El Cerrito BART station, and annotated alternative actions regarding maximum parking requirements.

Council is to consider adopting parking maximums citywide. Creating maximum parking standards could demonstrate support for multimodal transportation, support City transportation and climate goals, and reduce housing costs. However, regulating maximum parking may not be necessary and may impact lower-income households and people with disabilities who rely on personal vehicles.

Public comment in general has supported removing parking minimum ratios, improving equity across the City, and eliminating the parking waiver process. In addition, public comment has expressed concerns regarding spillover parking, specifically reduced parking for businesses, and interest in the effects on electric vehicle (EV) and accessible parking.

A summary of public comment is as follows: support for parking maximums as a way to support transit-oriented and housing development, and public amenities; parking maximums should apply to vehicles that do not emit carbon dioxide; minimums for bicycle parking should remain; support for on-street EV charging.

Planning Manager Leslie Mendez advised that the proposed amendments affect vehicle parking only.

A summary of Council comment is as follows: interest in parking maximums for non-residential uses; regardless of the decision regarding parking maximums, more work is needed to ensure residents can transition from personal vehicles to public transit; parking maximums may not be equitable; support for accessible parking spaces; perhaps the City can develop a waiver process for parking maximums; opposition to parking maximums; there are other uses for parking lots.

MOTION:

Moved by Vice Mayor Miki, seconded by Mayor Tiedemann, to 1) approve Resolution No. 2023-59, amending the Transportation Element of the General Plan Land Use to reflect implementation of new parking standards and related updates; 2) introduce and waive first reading of Ordinance No. 2023-06, amending the Zoning Ordinance to remove minimum parking requirements citywide in response to Assembly Bill 2097; and 3) apply parking maximums to non-residential uses only, not including the Waterfront District.

SUBSTITUTE MOTION:

Moved by Council Member Jordan, seconded by Council Member Hansen-Romero, to 1) approve Resolution No. 2023-59, amending the Transportation Element of the General Plan Land Use to reflect implementation of new parking standards and related updates; 2) introduce and waive first reading of Ordinance No. 2023-06, amending the Zoning Ordinance to remove minimum parking requirements citywide in response to Assembly Bill 2097; and 3) omit parking maximums.

AYES: Council Members Hansen-Romero and Jordan



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NOES: Council Member López, Vice Mayor Miki, Mayor Tiedemann
Substitute motion failed.

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

NOES: Council Member Hansen-Romero

Motion carried and so ordered.

10. UNFINISHED BUSINESS

11. NEW BUSINESS

11-1. Preparation of a New Active Transportation Plan for the City

Staff Recommendation: That the Council provide guidance on the preparation of a new Active Transportation Plan for the City

California Environmental Quality Act (CEQA)

The scope of work associated with the preparation of the Active Transportation Plan will include review for compliance with the requirements of the California Environmental Quality Act.

Community Development Director Bond and Transportation and Sustainability Manager Justin Fried presented the staff report. An Active Transportation Plan (ATP) is intended to encourage walking and biking through investment in public infrastructure. An ATP increases safety and improves priority routes and may also resolve many high-level policy issues so that the focus is on project design. The City Council Strategic Plan and the Climate Action and Adaptation Plan (CAAP) call for the development of a new ATP. Some funding sources require a city to have a current ATP in order to qualify for funding. The current ATP was adopted in 2012 and amended in 2014 and 2019. Most long-term plans have a useful life of 10 to 15 years.

The Transportation Commission (TC) discussed the scope for an ATP update and commented that an ATP should be easily accessible, network maps and project prioritization are important, the network designs should be inclusive, and the ATP should focus on maintaining a viable pipeline of projects.

A typical scope of work for an ATP update includes a summary of the current context, plans, and existing conditions; development of goals and objectives for the future; collection of data; documentation of information gathered from public outreach; preparation of bicycle and pedestrian network diagrams; projects; social justice and equity considerations; and a conceptual level of costs and prioritization.

Staff seeks Council direction regarding data, project design and cost estimates, background information briefs, public engagement, policy direction regarding a potential cycling network designation for Solano Avenue, and any additional information the Council would like.



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A summary of public comment is as follows: encouragement to develop a forward-looking and high-level ATP with more data; support for an update with high-level direction and priorities and specific examples of projects to study; there is no reason to spend a lot of money on future bikeways; a suggestion to prioritize active transportation in areas with parking deficits; support for a robust ATP update and protected cycle tracks; the ATP update should prioritize both biking and walking as the preferred modes of transportation.

A summary of Council comment is as follows: a suggestion for the Council to consider fundamental infrastructure needs; data needs to include near collisions as well as collisions; the ATP update should ensure the feasibility of a facility that has been assigned to a route; high-priority projects should include information that would facilitate grant applications; the focus needs to shift from streets to raised cycling facilities; an ATP update should include a project to study reorganizing parking, widening sidewalks, and adding an uphill cycle track along Solano Avenue and commit to education in schools; support for collecting data regarding density, age, and income of residents, visitor traffic, and vehicular traffic on Solano; parking spaces can be used in alternative ways, but Solano Avenue needs some car parking; a request for demographic data and analysis of that data with respect to transportation pressure; a suggestion to conduct public engagement along walking corridors and to explore new ways to collect input from all community members; agreement with not reducing parking along Solano Avenue and with collecting data regarding near collisions; the purchase of cell phone data could be beneficial; a suggestion for multiple phases of public engagement; one focus should be the width and use of sidewalks and separation of users; temporary installations can provide good data and public feedback; a primer of terms, acronyms, and requirements would be helpful; collaboration with Albany Unified School District is important; a suggestion to combine community engagement with existing City events.

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	Tiedemann	Miki
Alameda County Transportation Commission	Jordan	Miki
Alameda County Waste Management Authority	Hansen-Romero	Jordan
Association of Bay Area Government	Tiedemann	Jordan
East Bay Community Energy JPA Board	Tiedemann	López
East Bay Sports Field Recreational Authority JPA	Miki	Hansen-Romero
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	Tiedemann	Miki



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Alameda County Paratransit Advisory & Planning Committee (PAPCO)	(vacant)	N/A
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Council Member Jordan reported he attended an Alameda County Transportation Commission (ACTC) Planning, Policy and Legislation Committee meeting and a meeting regarding the San Pablo Avenue project.

Council Member Hansen-Romero reported StopWaste is holding a household hazardous waste drop-off event on November 12, 2023 in Alameda.

Vice Mayor Miki reported he attended an ACTC meeting regarding bicycle infrastructure. Key themes were community engagement, temporary pilot projects, and revising project designs in response to feedback. He also attended a meeting of the East Bay Sports Field Recreation Authority Joint Powers Authority (JPA) where he learned about the financial picture, funding for improvements, and UC Berkeley no longer renting Fielding fields.

Council Member López reported the passing of an Alameda County Mosquito Abatement District trustee.

Mayor Tiedemann reported he attended a meeting of the East Bay Community Energy (EBCE) Board, where EBCE changed its name to Ava Community Energy (Ava) and he learned about Bright Choice emissions, an energy purchase, and legislation. He also attended a Police & Fire Pension Fund Board meeting, an Alameda County District 5 Bay Area Housing Finance Authority (BAHFA) meeting, an Ava Executive Committee meeting regarding solar billing, and an Association of Bay Area Governments (ABAG) Legislative Committee meeting regarding a revenue measure for transit.

12-1. Report for Housing Authority of County of Alameda (HACA)

Mayor Tiedemann noted the update regarding the Family Sufficiency Program and a celebration on November 9, 2023.

13. FUTURE AGENDA ITEMS

None.

14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

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

1. Veterans Day – November 10, 2023 (City Offices Closed)

Upcoming City Meetings



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1. Racial Inclusivity & Social Equity Commission Meeting, Tuesday, November 7, 7:00 PM, City Hall Council Chambers
2. Planning & Zoning Commission Meeting, Wednesday, November 8, 7:00 PM, City Hall Council Chambers
3. Parks, Recreation and Open Space Commission Meeting, Thursday, November 9, 7:00 PM, City Hall Council Chambers
4. Arts Committee Meeting, Monday, November 13, 7:00 PM, City Hall Council Chambers
5. Climate Action Committee Meeting, Wednesday, November 15, 7:00 PM, City Hall Council Chambers
6. City Council Meeting, Monday, November 20, 7:00 PM, City Hall Council Chambers

15. ADJOURNMENT

10:39 PM There being no further business before the City Council, Mayor Tiedemann adjourned the meeting.

Minutes submitted by Anne Hsu, City Clerk.

Aaron Tiedemann
Mayor

Attest:

Anne Hsu, City Clerk