

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, November 2, 2015

A Regular Session of the Piedmont City Council was held November 2, 2015, in the City Hall Council Chambers at 120 Vista Avenue. In accordance with Government Code Section 54957 (b) the agenda for this meeting was posted for public inspection on October 29, 2015.

CALL TO ORDER

The City Council met at 7:10 p.m. in Closed Session for (a) public employee performance evaluation held pursuant to Government Code Section 54957(b) regarding the City Administrator. Following the 7:10 p.m. Closed Session, Mayor Fujioka called the meeting to order at 7:40 p.m. with the Pledge of Allegiance.

Mayor Fujioka announced that the Council met at 5:30 p.m. to interview candidates for the Parks Commission and Planning Commission and appointments were made and announced at that meeting.

ROLL CALL

Present: Mayor Margaret Fujioka, Vice Mayor Jeff Wieler and Councilmembers Teddy Gray King, Robert McBain, and Tim Rood

Staff: City Administrator Paul Benoit, City Attorney Michelle Marchetta Kenyon, Planning Director Kate Black, Finance Director Erick Cheung, Senior Planner Kevin Jackson, Assistant Planner Jennifer Gavin and City Clerk John Tulloch

CONSENT CALENDAR

Minutes

The Council requested the following revisions to the October 19, 2015 minutes:

- Bottom of Page 1, replace Councilmember King with Councilmember McBain
- Top of Page 2, first paragraph, replace effect with affect
- Bottom of Page 3, last paragraph, replace "...Guidelines, requiring no variances." With "...Guidelines and required no variances."
- Page 6 in Resolution 102-1, add the word "possible" between to and modifications
- Page 7, Map Your Neighborhood, replace hosted with co-host

Resolution 105-15

RESOLVED, that the City Council approves its meeting minutes for the Regular Session on October 19, 2015, as amended.

Moved by Rood, Seconded by McBain

Ayes: Fujioka, King, McBain, Rood, Wieler

Noes: None

The following items were considered under one vote by the Council:

Settlement Agreement

Approval of a Settlement Agreement with Union Pacific Railroad for Environmental Cleanup of the Stege Pistol Range (0045, 0595)

Appointment of Interim Planning Director Appointment of Kevin Jackson as Interim Planning Director
(0085)

Street Use Permit for Turkey Trot Race Approval of a Street Use Permit for the Annual Turkey Trot Race Sponsored by PTT Thanksgiving Race, Inc.
(1000)

Resolution 106-15

RESOLVED, that the City Council approves consent calendar items 2, 3 and 4 as noted.

Moved by King, Seconded by Rood

Ayes: Fujioka, Wieler, King, McBain, Rood

Noes: None

Absent: None

PUBLIC FORUM

Christopher Barringer, 133 Woodland Way, suggested the length of the Turkey Trot be shortened to increase participation.

REGULAR CALENDAR

The Council considered the following items of regular business:

Recruitment Process For Finance Director

City Administrator Paul Benoit explained that Finance/Human Resources Director Erick Cheung had submitted his resignation. To find Mr. Cheung's successor, Mr. Benoit recommended utilizing a recruiting firm with expertise in local government. Due to difficulty in recruiting Finance Directors, he suggested eliminating the focus of Human Resources from the current position. City Administrator Benoit suggested that the current classification of Administrative Services Technician, held by Stacy Jennings, could be modified to assume more of the day to day human resources functions. He requested the Council authorize solicitation of proposals from an Executive Search and Consulting firm to assist with recruitment for the position of Finance Director. He discussed the possibility of a part-time interim contract to fill the position.

Resolution 107-15

RESOLVED, that the City Council authorizes solicitation of proposals from an Executive Search and Consulting firm to assist with recruitment for the position of Finance Director.

Moved by McBain, Seconded by King

Ayes: Fujioka, Wieler, King, McBain, Rood

Noes: None

Absent: None

(0750)

Audit of Republic Services

Planning Director Kate Black presented the Council with the Billing Audit and Performance Review of Republic Services, the City's solid waste hauler, as requested by Council earlier this year. Ms. Black explained the purpose of the Billing Audit and Performance Review. She indicated the overall assessment of service was positive. Ms. Black reviewed the areas of non-compliance to the agreement. She stated the goal was to have staff work with Richmond Sanitary Services, Inc. to resolve any issues. She stated the public had not expressed concern with the service and staff was concerned with the tardiness of the annual report and the lack of educational programs as required by the contract.

William Schoen, of R3 Consulting, explained that the audit included review of the contract for compliance, specific operation review, billing audit, and customer service function. He explained the use of split container trucks and the

process utilized for backyard accounts. He stated there was minor contamination of green waste and recyclables. Mr. Schoen suggested education to increase the commercial and residential diversion rate. He stated liquidated damages could be imposed for late reporting.

Ms. Black discussed the delayed submission of annual reports. She explained the higher rates for service in Piedmont were due to backyard service and narrow, windy, steep streets, limiting the types of trucks utilized. She stated Piedmont was the only City in the area that required that the City and school district be provided with no cost trash service as a condition of the franchise agreement. She explained the bid process for a new hauler agreement and the need to memorialize any amendments to the existing agreement.

The Council discussed the current services provided by Republic and the need to work together to increase the diversion rate and minimize contamination. It was agreed that Republic Services must complete the required public outreach campaigns. The Council requested the opportunity to discuss the audit with Republic Services, allowing response to questions. The Council reiterated the need for the reports to be submitted on time or liquidated damages assessed. The Council concurred that Piedmont rates were the highest and perhaps a comparison should be conducted. Additionally, the Council stated community input should be obtained on the desires and associated costs.

Public testimony was received from the following:

Aaron Salloway, Crocker Avenue, stated Republic's service was impeccable. He discussed the limited number of service providers and rates paid in Piedmont. He suggested the emphasis of future work be placed on the next contract.

Resolution 108-15

RESOLVED, that the City Council receives the Billing Audit and Performance Review Final Report, prepared by R3 Consulting Group, Inc., concerning the City's Collection Services Agreement with Richmond Sanitary Services, Inc., also known as Republic Services Inc. (Republic).

FURTHER RESOLVED, that the City Council directs staff to negotiate on the issues that have the biggest effect on diversion rates and resolve customer complaints. Republic must comply with requirements for submission of annual reports and complete the public outreach and education services.

Moved by Rood , Seconded by King
Ayes: Fujioka, Wieler, King, McBain, Rood
Noes: None
Absent: None
(0700-0703)

Year End Transfers

City Administrator Paul Benoit explained that the Council had directed staff to transfer net income derived in the general fund in excess of \$100,000 to the Facilities Maintenance Fund, Equipment Replacement Fund, Other Post-Employment Benefits Fund and the Workers Compensation Fund. He reported that \$576,000 was transferred to each of the noted funds.

Mr. Benoit also noted that the Council had approved a settlement and received \$500,000 from Robert Gray & Associates with regard to their work on the

Piedmont Hills Undergrounding district. He recommended that the Council transfer those funds to the Facilities Maintenance Fund.

The Council requested that an accounting of the City's Undergrounding credits with PG&E as well as the balances of the Facilities Maintenance Fund, Equipment Replacement Fund, Other Post-Employment Benefits Fund and the Workers Compensation Fund be provided at a later meeting.

Resolution 109-15

RESOLVED, that the City Council approves a transfer of \$500,000 from the General Fund to the Facilities Maintenance Fund.

Moved by McBain, Seconded by Rood

Ayes: Fujioka, King, McBain, Rood, Wieler

Noes: None

(0165)

**REPORTS AND
ANNOUNCEMENTS**

Recreation Department – Councilmember King congratulated the Department on the successful haunted house.

Community Choice Aggregation Steering Committee – Councilmember Rood stated the County had interviewed three qualified bidders and had reached a consensus on a recommendation that would be presented to the Board of Supervisors.

Piedmont Seniors 19th Anniversary – Mayor Fujioka stated she had issued a proclamation to the Piedmont Seniors Group in celebration of their 19th anniversary.

Appreciating Diversity Film Series – Mayor Fujioka stated she attended the Piedmont Appreciating Diversity Film Series presentation of *The Hunting Ground* and announced it would be reshowed on November 7, at 3:00 p.m., at the New Parkway Theater.

Turkey Trot – Mayor Fujioka announced the upcoming Turkey Trot on Thanksgiving Day, November 26, 2015, and reminded participants to bring a book to kick off the holiday book drive.

FUTURE AGENDA ITEMS

Councilmember King requested staff report on the efficacy of the Athletic Facilities Preservation Fee. She further requested staff and the Recreation Commission review safety procedures at the City's schoolmates sites which are located on elementary school campuses.

ADJOURNMENT

There being no further business, Mayor Fujioka adjourned the meeting at 9:04 p.m.