

## PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, August 21, 2017

A Regular Session of the Piedmont City Council was held August 21, 2017, 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 August 17, 2017.

### CALL TO ORDER

The City Council met at 6:30 p.m. in Closed Session for (a) Conference with Labor Negotiators; Agency Designated Representative(s): Janae Novotny; All Represented Labor Groups: (Piedmont Firefighters Assn; Piedmont Police Officers Assn; SEIU Local 1021 (General and Public Works Units). Unrepresented Employees: City Administrator; City Clerk; Finance Director; Confidential Employees; Public Works Director; Professional, Technical & Supervisory Employees; Planning Director, Parks & Project Manager; Building Official; Police Chief; Police Captain; Police Support Services Commander; Fire Chief; Fire Captains; Recreation Director; Recreation/Childcare Employees).

Mayor Wieler called the meeting to order at 7:30 p.m. with the Pledge of Allegiance and a moment of silence for victims of Charlottesville and Barcelona. He requested that staff prepare a resolution for the September 5 meeting regarding the City's position on hate groups. Councilmember King addressed the recent events in Charlottesville and remembered those that lost their lives.

### ROLL CALL

Present: Mayor Jeff Wieler, Vice Mayor Bob McBain, and Councilmembers Jennifer Cavanaugh and Teddy Gray King

Absent: Councilmember Tim Rood (excused)

Staff: City Administrator Paul Benoit, Assistant City Attorney Kevin Siegel, Chief of Police Jeremy Bowers, Fire Chief Bud McLaren, Recreation Director Sara Lillevand, Police Captain Chris Monahan, Police Support Services Commander Lisa Douglas, Assistant Planner Emily Alvarez, Civic Spark Fellow Olivia Ashmoore, and City Clerk John Tulloch

### CONSENT CALENDAR

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

#### Minutes

Approval of Council Meeting Minutes for 07/17/17

#### Reject Bids for Corporation Yard Vehicle Storage Project

Consideration of Authorization to Reject All Bids for the Corporation Yard Vehicle Storage Building Project (0270-0365)

#### Resolution No. 56-17

RESOLVED, that the City Council approves the Consent Calendar Items 1 and 2.

Moved by King, Seconded by Cavanaugh

Ayes: Cavanaugh, King, McBain, Wieler

Noes: None

Absent: Rood

#### 1<sup>st</sup> Reading of Ord. 734 N.S for Electric Vehicle

Introduction and 1st Reading of Ord. 734 N.S. Regarding Expedited Permitting for Electric Vehicle Charging Stations and Consideration of a Resolution Amending the Interim Design Guidelines to Exempt Electric Vehicle Charging

**Charging Stations**

Stations from Design Review as Required by AB 1236

Councilmember Cavanaugh highlighted the benefits to residents and indicated the action moved forward the City's climate action plan goals.

Civic Spark Fellow Olivia Ashmoore explained that the process no longer requires design review, only health and safety review.

City Administrator Benoit commended Ms. Ashmoore for her work during her eleven month fellowship which will conclude on September 8, and stated a new Civic Spark Fellow, Cody Erickson, would be starting on September 18.

There was no public testimony on this matter.

**Resolution No. 57-17**

**WHEREAS**, on March 20, 2017, the City Council adopted an Ordinance reorganizing and updating the Planning and Zoning Provisions of the City Code, including revisions to Chapter 17; and

**WHEREAS**, on March 20, 2017, the City Council adopted, and on June 17, 2017 the City Council amended Interim Design Guidelines, which serve as the design guidelines for the City until an updated and expanded document can be adopted by the Council; and

**WHEREAS**, on October 8, 2015, the Governor approved Assembly Bill (AB) 1236, which requires cities to adopt an ordinance creating expedited and streamlined permitting for electric vehicle charging stations and limits review to building official's evaluation of whether it meets all health and safety requirements of local, state, and federal law; and

**WHEREAS**, the Interim Design Guidelines contain provisions related to electric vehicle charging stations that are in conflict with AB 1236, as codified; and

**WHEREAS**, the adoption of these revisions to the Interim Design Guidelines is not subject to the California Environmental Quality Act (CEQA) because it is not a project within the meaning of CEQA and it can be seen with certainty that there is no possibility that the adoption of Interim Design Guidelines may have a significant effect on the environment. (Public Resources Code section 21065; CEQA Guidelines, 14 Cal. Code of Regs. Sections 15061(b)(3), 15378.).

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Piedmont does hereby resolve, declare, determine, and order as follows:

**SECTION 1.** The above recitals are correct and are incorporated into this Resolution as findings of the City Council.

**SECTION 2.** Section D(1)(l) of the Interim Design Guidelines, adopted March 20, 2017 and revised on June 19, 2017 is amended as follows:

“Exterior-mounted electric vehicle chargers, provided that: 1) the charger is not located on a street-facing façade or within a street setback, and 2) no electrical conduit leading to the charger is exposed on the exterior wall of the building.”

**SECTION 3.** The first reading of Ordinance 734 N.S. to provide expedited permitting for electric vehicle charging stations as mandated by AB 1236, is hereby approved.

**SECTION 4.** This resolution shall take effect on the same date that Ordinance 734 N.S. takes effect. If Ordinance 734 N.S. does not take effect, this resolution shall be null and void.

Moved by Cavanaugh, Seconded by King  
Ayes: Cavanaugh, King, McBain, Wieler  
Noes: None  
Absent: Rood  
(0705)

## **PUBLIC FORUM**

David Gard and Mahvash Hassan of the Piedmont Appreciating Diversity Committee discussed efforts to work to collectively address the reality of hate and bias. They stated that PADC was committed to stand united for individuals in the diverse community and encouraged the Council to continue to work with PADC.

Lois Corrin addressed the Council regarding the need to do more to ensure Piedmont's commitment to be an inclusive place. She stated she expected public condemnation of the violent acts and discussed potential grants.

Board of Education member Andrea Swenson shared a letter sent to Piedmont Unified School District families regarding creation of an inclusive, safe and accepting education environment.

Roderick Alemania, Conna McCarthy, Ryan Gilbert, and Jessica Berg brought Mayor Wieler's facebook posts to the Council's attention, highlighting their repugnant nature. They highlighted that Piedmonters are continually working toward being a more open and inclusive community. They stated their belief that Mayor Wieler's social media posts do not represent the beliefs of the Piedmont community and they were inappropriate for a person in the position of Mayor.

## **REGULAR AGENDA**

### **Police Department Report**

The Council considered the following items of regular business:

Chief of Police Bowers presented the quarterly Police Department report, outlining a decrease in reportable crime, increased calls for service, and increased community engagement. Chief Bowers introduced the Department's new crime prevention outreach effort entitled CORE, which stands for Car, Oneself, Residence and Environment. He also highlighted the Department's partnership with the Piedmont Unified School District regarding educating students and parents about the impending legalization of marijuana, and the subjects of inclusion and diversity.

Chief Bowers addressed the recent vandalism at the Kehilla Community Synagogue and urged anyone with information to contact the Police Department. He also acknowledged the passing of Retired Officer Norm Bitner who served Piedmont from 1985 to 2004.

There was no public testimony on this matter.

The Council thanked Chief Bowers for the report and discussed the success of Piedmont's participation in the National Night Out program.  
(0785)

**Agreement for Public  
Safety Mobile Data  
Terminals**

City Administrator Paul Benoit explained the proposed contract for the purchase and installation of fourteen mobile data terminals for police and fire vehicles. He indicated that the mobile data terminals that would be purchased under this contract will replace existing terminals that are up to ten-years old. Mr. Benoit stated that this purchase was an important public safety component of the IT Strategic Plan, was extremely timely and that funds for the purchase had been included in the budget.

Chief of Police Jeremy Bowers stated the current terminal setups were not purpose-built for vehicles and could be hazardous to the officers, but the proposed systems were designed to be in public safety vehicles. He discussed the existing mobile software to be installed on the new hardware. He explained that the terminals are expected to last ten years and could be transferred to new vehicles. Chief Bowers thanked Support Services Commander Lisa Douglas for her work on the project.

Fire Chief Bud McLaren thanked the Police Department for spearheading the project and including the Fire Department.

There was no public testimony on this matter.

The Council thanked the Police and Fire Department for their work on this project.

**Resolution No. 58-17**

RESOLVED, that the City Council accept the contract terms between Broadcast Microwave Services/Data 911 and the City of Piedmont for the Purchase and Installation of Mobile Data Terminals in Police Patrol Vehicles and Fire Apparatus in the Amount of \$87,955.11.

Moved by King, Seconded by Cavanaugh  
Ayes: Cavanaugh, King, McBain, Wieler  
Noes: None  
Absent: Rood  
(0045, 0480-0370, 0785-0370)

**Placement of Council  
Goal Setting on a  
Future Agenda**

City Administrator Benoit indicated that Councilmember Cavanaugh had requested a discussion of whether the topic of Goal Setting should be placed on a future Council agenda. He reviewed the staff report, which outlines the processes generally used by cities to set goals on an annual basis. Mr. Benoit indicated that the City's goals had been traditionally set during the process of the annual performance review of the City Administrator.

Councilmember Cavanaugh explained that her goal in bringing this item forward for discussion was for the City to have clarity and consistency in its goals. She further stated that having published goals increased transparency. She suggested a system that would be right sized for Piedmont, taking our unique needs, processes and issues into account.

The Council discussed the issue and agreed that a more formal process would be a good idea. They agreed that goal setting currently takes places in the form of

the annual review of the City Administrator's performance, but that more transparency would be good thing.

City Administrator Benoit stated there appeared to be consensus for formal public goal setting. He indicated that staff would bring this item back to the Council for consideration at a future meeting.

There was no public testimony on this matter.

**REPORTS AND  
ANNOUNCEMENTS**

Councilmember King thanked the Recreation Department for the successful summer and encouraged residents to sign up for classes. She announced the upcoming movies in the park.

Councilmember Cavanaugh commended City Staff for attending the School District training and the Recreation Department for continued work on healthy relationship programming.

Mayor Wieler commended the Piedmont League Action Youth (PLAY) program which pairs youth with residents needing work done during the summer and encouraged it be retained year-round.

**ADJOURNMENT**

There being no further business, Mayor Wieler adjourned the meeting at 9:17 p.m., in memory of Heather Heyer, and Virginia State Police Lt. H. Jay Cullen III and Trooper Berke M.M. Bates, who lost their lives during the horrible events in Charlottesville, Virginia.