

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, July 17, 2017

A Regular Session of the Piedmont City Council was held July 17, 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 July 13, 2017.

CALL TO ORDER

Mayor Wieler called the meeting to order at 7:31 p.m. with the Pledge of Allegiance.

ROLL CALL

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

Staff: City Administrator Paul Benoit, City Attorney Michelle Marchetta Kenyon, Public Works Director Chester Nakahara, Finance Director Michael Szczech, City Engineer John Wanger, Parks and Project Manager Nancy Kent, Assistant Planner Emily Alvarez, 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 07/03/17

Agreement for Civic Spark Fellowship Program

Consideration of an Agreement with the Local Government Commission in the Amount of \$5,000 for the Civic Spark Fellowship Program (0045)

Resolution No. 51-17

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

Moved by McBain, Seconded by King

Ayes: Cavanaugh, King, McBain, Rood, Wieler

Noes: None

Absent: None

Voting Delegate for League of California Cities Conference

Appointment of Voting Delegate and Alternates for the 2017 League of California Cities Conference

Vice Chair McBain suggested the Council appoint Councilmember King as the alternate.

Councilmember King stated she would gladly represent the City if Mayor Wieler was unavailable.

Resolution No. 52-17

RESOLVED, that the City Council appoints Mayor Jeff Wieler as the City of Piedmont's Voting Delegate and Councilmember Teddy Gray King as the Alternate Voting Delegate for the 2017 League of California Cities Annual Conference.

Moved by McBain, Seconded by Wieler

Ayes: Cavanaugh, King, McBain, Rood, Wieler

Noes: None

Absent: None

(0085)

PUBLIC FORUM

Kathy Lee expressed concern regarding questioning of a suspicious person due

to looking in trash cans and suggested the ordinance related to stealing recyclables be reconsidered.

REGULAR AGENDA

The Council considered the following items of regular business:

408 Linda Avenue Tract Map and Subdivision Improvement Agreement

City Administrator Paul Benoit summarized the history of the development of the former PG&E Substation into townhouses as well as the steps required to gain final approval of the Final Map under the Subdivision Map Act. He also described the Subdivision Improvement Agreement by which the developers will improve public property next to the development.

Planning Director Jackson indicated approval of the final map was one of the necessary steps for the project to receive certificates of occupancy and that the map was reviewed and found to be in compliance by the City Engineer and City Attorney. He reviewed the proposed Subdivision Improvement Agreement, including the deposits for anticipated attorney's fees and engineering costs and surety bond amounts.

City Engineer Wanger explained the performance securities and bonds.

City Attorney Marchetta Kenyon stated the provisions were standard in subdivision improvement agreements.

Patrick Zimski, representing the developer, discussed the proposed timeframe for project completion.

There was no public testimony on this matter.

Resolution No. 53-17

WHEREAS, Piedmont Station LLC, landowner and developer for the project located at 408 Linda Avenue, has submitted a request for approval of a final map which proposes to subdivide the land known as Tract Map 8027 into a one lot subdivision for seven condominiums; and

WHEREAS, the Final Map for Tract 8027 ("Final Map"), attached hereto as Exhibit B and incorporated herein, has been submitted for review to the City and has been found to be in substantial conformance with the approved Tentative Map, in conformance with the City's rules and regulations and those of the Subdivision Map Act, as well as those conditions of approval required to be completed prior to, or in conjunction with the Final Map recordation; and

WHEREAS, the developer has been provided a copy of the a Subdivision Improvement Agreement ("Agreement"), attached hereto as Exhibit A and incorporated herein, for the remaining improvements associated with the development and will be posting sufficient surety guaranteeing the completion of all uncompleted public improvements as detailed in the Agreement.

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 true and correct and are hereby incorporated into this Resolution as findings of the City Council of the City of Piedmont.

SECTION 2. The Mayor is hereby authorized and directed to execute the Agreement once the surety for the public improvements associated with this

development as called for in the Agreement is received by the City and approved by the City Attorney.

SECTION 3. The City Council hereby approves the Final Map once the Agreement is fully executed.

SECTION 4. Once the Final Map is approved, the City Council hereby accepts the offer of dedication for the Public Access and Utilities Easement as shown on Final Map.

Moved by Rood, Seconded by King
Ayes: Cavanaugh, King, McBain, Rood, Wieler
Noes: None
Absent: None
(0045, 1010)

Pavement Management Program

City Administrator Benoit indicated that the Council had requested an update on the City's Pavement Management Program (PMP). He indicated that the City had completed integration of the PMP information and Metropolitan Transportation Commission (MTC) StreetSaver program as well as the City's Geographic Information System. He also provided an update on upcoming pavement projects.

Public Works Director Chester Nakahara explained the update to the PMP including street categories, prioritization, bid process, and additional alternates included in the bidding of projects, which could be exercised if bids received were competitive. He also explained the funding of pavement projects over the years.

City Engineer John Wanger reviewed the results of the PMP update. He discussed the Pavement Condition Index (PCI), with City streets being in average condition with slow degradation, assuming that spending remained the same in future years. He detailed three scenarios for paving, estimating that \$1.9 million would be required over the next 5 years to improve the average PCI for all city streets from 64 to 69.

City Administrator Benoit discussed SB1 funds. Public Works Director Nakahara discussed pavement project funding.

Public Testimony was received from:

Dimitri Magganas compared sidewalk conditions with dental work.

The Council indicated support for the program and discussed the potential to fund additional pavement needs.
(1000)

Green Infrastructure Plan Development

City Administrator Benoit explained the requirement for the Municipal Regional Permit by the Regional Water Quality Control Board (RWQCB) and framework completed by Nichols Consulting Engineers (NCE).

Public Works Director Nakahara stated green infrastructure was required to disperse stormwater and the City needed to develop a plan, then come up with specific projects. Public Works Director Nakahara stated the City had 44 acres of public parks and there were opportunities for green infrastructure during

street improvement and paving projects. He explained the project to remap the storm sewer systems.

Marcy Kamerath NCE, presented a PowerPoint outlining the framework and plan required under the C3 permit, green infrastructure (GI), purpose of a GI framework and plan, and requirements. She acknowledged the constraints due to the limited availability of public land in Piedmont. She stated 20 acres had to be treated by 2020, meaning treatment of water from impervious surfaces by a green infrastructure feature.

Ms. Kamerath explained the plan check and review requirements for regulated projects and stated it was also worth exploring natural green infrastructure. She stated the plan had to be completed by September 30, 2019, while working towards milestones. She stated landscaping did not qualify as green infrastructure. Ms. Kamerath discussed grants, indicating they were highly competitive. She stated GI features were included as part of the Complete Streets program.

There was no public testimony on this matter.

The Council discussed the benefits of green infrastructure for the environment and potential City land and projects for implementation.

Resolution No. 54-17

RESOLVED, that the City Council approves the Green Infrastructure Framework for Green Infrastructure Plan Development dated June 2017 as prepared by Nichols Consulting Engineers (NCE) in compliance with Provision C.3.j of the Municipal Regional Permit (MRP) of the Regional Water Quality Control Board Order No. R2-2015-0049

Moved by Rood, Seconded by King

Ayes: Cavanaugh, King, McBain, Rood, Wieler

Noes: None

Absent: None

(0935)

**Waste Collection
Services**

City Administrator Benoit reported that the current waste collection services agreement will expire in 2018 and the City had issued an RFP for a new collection services agreement. He stated interest was expressed by four providers but only one, Republic Services, had submitted a proposal. He stated the proposal was reviewed for technical sufficiency, evaluated by a community panel, and staff recommended accepting the proposal and directing staff to proceed with contract negotiations.

Planning Director Kevin Jackson discussed the rate increases received in the proposal, but noted that final rates were a subject of negotiation between the City and Republic Services.

Garth Schultz, Principal, R3 Consulting Group, expressed disappointment in only receiving one proposal. He stated other providers had formally and informally indicated that they did not submit a proposal because of the City's backyard service requirement and/or did not have the capability for a bundled service package. He discussed the service benefits of the proposal and items for negotiation. He stated the new fleet would be at minimum standard and indicated Compressed Natural Gas fuel was not feasible due to cost. Mr. Schultz discussed options to mitigate rate increases and stated curbside service

was no longer subsidizing backyard service. He estimated waste haulers to have a profit margin of 10-15%.

In response to a question from Council, Public Works Director Nakahara explained existing regulations for storage of trash cans, indicating enforcement was complaint driven.

The Council stated the City had enjoyed a good relationship with Republic Services, including below average rates for the past 10 years. It indicated support for the proposed negotiations.

Resolution No. 55-17

RESOLVED, that the City Council accepts the proposal submitted by Republic Services, Inc. ("Republic") and directs staff to proceed with contract negotiations.

Moved by King, Seconded by Rood

Ayes: Cavanaugh, King, McBain, Rood, Wieler

Noes: None

(0490-0700)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember Rood suggested a deadline for submitting the Council's requested amendments to the City Charter. City Administrator Benoit stated he would send a reminder email to the Council.

City Clerk Tulloch announced the next Council meeting would be held Monday, August 21, 2017

FUTURE AGENDA ITEMS

Councilmember Cavanaugh requested a future item to consider a strategic plan and annual goals for the Council.

ADJOURNMENT

There being no further business, Mayor Wieler adjourned the meeting at 9:32 p.m.