

## PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, March 4, 2019

A Regular Session of the Piedmont City Council was held March 4, 2019, 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 February 28, 2019.

**CALL TO ORDER** Mayor Bob McBain called the meeting to order at 7:32 p.m. with the Pledge of Allegiance.

**ROLL CALL** Present: Mayor Bob McBain, and Councilmembers Jennifer Cavanaugh, Tim Rood and Betsy Smegal Andersen

Absent: Vice Mayor Teddy Gray King

Staff: City Administrator Paul Benoit, City Attorney Michelle Marchetta Kenyon, Fire Chief Bret Black, Police Chief Jeremy Bowers, Public Works Director Chester Nakahara, Recreation Director Sara Lillevand, Finance Director Michael Szczech, and Assistant City Administrator / City Clerk John Tulloch

**CONSENT CALENDAR** The Consent Calendar consisted of the following items:

**Council Meeting Minutes** Approval of Council Meeting Minutes for 1/22/19 and 02/04/19

**Solicitation of Bids for Landscape Maintenance** Authorize the issuance of a Request for Proposals for Professional Landscape Maintenance Services for FY 19-20.

**Resolution No. 08-19**

RESOLVED, that the City Council approves Consent Calendar items 1 and 3.

Moved by Rood, Seconded by Andersen

Ayes: Andersen, Cavanaugh, McBain, Rood

Noes: None

Absent: King

(0045, 0745-0370)

**PUSD Corp Yard Use Agreement** Councilmember Cavanaugh indicated that she pulled this item for individual consideration to acknowledge the City for supporting the Piedmont Unified School District during its construction projects at Piedmont High School.

There was no **Public Testimony** on the matter.

**Resolution No. 09-19**

RESOLVED, that the City Council approves a Temporary Use Agreement and License with the Piedmont Unified School District for Use of a Portion of the Corporation Yard / Coaches Field Parking Lot for a Shipping and Receiving Facility.

Moved by Cavanaugh, Seconded by Andersen

Ayes: Andersen, Cavanaugh, McBain, Rood

Noes: None

Absent: King

(0045, 0765)

**PUBLIC FORUM** Sherry Marcus expressed concern about traffic conditions and emergency egress

issues on Wildwood Gardens.

## CEREMONIAL MATTERS

### **Introduction of New Police Officers**

Police Chief Jeremy Bowers introduced Officer Iakopo “Jake” Seumalo Jr., whose badge was pinned by his sisters Vai and Marie Seumalo. He also introduced Officer Joshua Doughtie, whose badge was pinned by his wife Tiffani Doughtie.

### **Recognition of Police Explorers**

Chief Bowers recognized the Police Explorers and noted their success in the annual Police explorer competition in Chandler, Arizona.

## REGULAR AGENDA

### **Alameda County Mosquito Abatement District**

The Council considered the following items of regular business:

Mayor McBain began this item by recognizing long time Piedmonter and city representative to the Mosquito Abatement District Board Denny McCleod, who recently passed away.

Ryan Clausnitzer, General Manager of the Alameda County Mosquito Abatement District provided the Council with an overview of the services, funding sources, community outreach, and partnerships of the district.

There was no **Public Testimony** on the matter.  
(0055)

### **PUSD Measure H1 Construction Traffic Control and Management Plan**

City Administrator Paul Benoit reminded the Council of the upcoming work which will be taken by the Piedmont Unified School District (PUSD) at Piedmont High School. He indicated that the Council had requested that PUSD present its traffic control and management plan for the project to the Council as it will cause major disruption in the civic center area for an extended period of time. He advised that PUSD has submitted a draft traffic control and management plan, which staff is currently reviewing.

Pete Palmer, PUSD Facilities Manager, gave details on the proposed traffic control and management plan prepared by PUSD and its contractor Overaa Construction. He explained the ingress and egress to Piedmont High School during construction. He discussed the reduction in parking spaces for PUSD staff caused by the district’s proposed traffic control and management plan.

Justin Hennis of Overaa Construction provided additional detail on the proposal and the traffic impact to Magnolia Avenue. He discussed efforts to minimize traffic impacts and provide safety.

In response to Council questions, Mr. Palmer explained the proposed drop off and pick up procedures. He discussed various aspects of the proposed plan and indicated that it would be reviewed by traffic engineers.

Public Works Director Nakahara discussed the possibility of additional, temporary, parking spaces for PUSD staff on Bonita Avenue and at the Sheridan Strip on Highland Avenue.

There was no **Public Testimony** on the matter.

The Council acknowledged the inconvenience of PUSD’s proposed plan. They urged PUSD staff to work with City staff to minimize impacts on neighbors.

Councilmembers suggested a campaign to encourage students to get to school on bikes or scooters, and walking. The Council directed staff to investigate temporary additional parking for PUSD staff, but to be mindful of members of the public who use the civic center every day.  
(0765, 1060)

**Tennis Court Use and Pickleball**

Recreation Director Sara Lillevand provided an overview of the background on Recreation Commission's consideration of the tennis program in Piedmont as well as consideration of pickleball. She indicated that the Commission had established the Subcommittee on Tennis Court Use and Pickleball to consider tennis improvements and how pickleball could be integrated. Ms. Lillevand also discussed the potential for an acoustical study of the noise impacts of pickleball. She also described the neighborhood outreach that would take place to gauge the impacts of pickleball play.

Steve Roland, Recreation Commission Chair, presented the Subcommittee's report. He indicated that the Subcommittee based its findings on seven months of review, public input, and consideration. He discussed the increased interest in pickleball and how it could be accommodated in Piedmont. He noted that tennis courts in Piedmont are impacted facilities. He discussed the adaptability of resources, sensitivity to neighbors, and need for more activities for seniors. He presented the subcommittee's recommendations.

The use of the Piedmont Middle School sport courts for pickleball was also discussed. PUSD Facilities Manager Pete Palmer relayed the District's desire to work with the City to make this happen. He discussed the possibility of replacing the existing asphalt surface on these courts as well as the need for flexibility to continue other uses of these courts. Ms. Lillevand indicated that installing a tennis court surface at the Middle School sport courts would be much more expensive than a traditional asphalt surface. She also indicated that the City would work with PUSD to ensure that the needs of all parties were met.

Councilmembers asked questions regarding the selection of the Hampton and Linda Beach courts for pickleball.

**Public Testimony** was received from:

Kyung Hee Howard and David Zweig urged the Council to consider the impacts to the neighborhood of pickleball play, especially at Linda Beach courts. Speakers suggested that the limited hours of the trial be strictly enforced as to limit impacts on the neighborhood.

Darlene Bedina, Jane and Richard Cohen, Lester Ellis, Laurie Finkle, Nancy Lehrkind, Lynn Nelson, Elaine Penzer, Sandra E. Ponce, Tom Reicher, and Rick Schiller spoke in support of the Subcommittees recommendations related to pickleball. Speakers emphasized the accessible nature of the sport, the benefits of playing, and relayed their positive experiences. They urged the Council to adopt the eight month trial period and to find a permanent location for pickleball to be played in Piedmont.

The Council acknowledged resident concerns regarding pickleball noise and thanked both residents and the subcommittee for their input. The Council expressed support for the intergenerational, inclusive nature of pickleball and encouraged openness during the trial period. The Council also discussed the

possibility of a public-private partnership to help fund the resurfacing of the Middle School sport courts as a permanent home for pickleball.

**Resolution No. 10-19**

RESOLVED, that the City Council adopts the recommendations of the Recreation Commission with regard to tennis as follows:

1. The Recreation Department should implement an on-line reservation system which allows players to see court availability and reserve courts.
2. The Recreation Department should explore an increase in formal tennis programming for adult and young adult players.
3. The Recreation Department should explore finding additional tennis professionals to supplement existing programming for adults and young adults.

BE IT FURTHER RESOLVED, that the City Council adopts the combined recommendations of the Recreation Commission and staff with regard to pickleball as follows:

1. City staff should work with the Piedmont Unified School District to explore the creation of permanent pickleball courts at the Middle School sport courts for use by students and the public, including the resurfacing of the courts to facilitate safety and better play. As these courts are on PUSD property, it is understood that they would not be available to the public during school hours but the City, given the growing interest in pickleball and the fact that the sport is not provided for elsewhere in the community, should consider financial support of the project in exchange for availability to the public during regulated non-school hours.
2. The Recreation Department shall implement an eight month trial period of pickleball play at the Linda Beach and Hampton Field tennis courts, including the following:
  - a. Painted lines for four pickleball courts spread over the two tennis courts at each site, with the courts at Linda Beach striped parallel to Linda and Howard Avenues in order to provide sound attenuation for the homes closest to the tennis courts;
  - b. Pickleball lines will be painted in such a way to have the least impact and be as unobtrusive as possible relative to existing tennis lines;
  - c. The Recreation Department will obtain temporary pickleball netting which can be placed on each court without penetrating the court surfaces; and
  - d. The Recreation Department will provide a maintenance bin or shed at each location to house the nets. The Recreation Department will consider the best means of set up and take down of nets, either through coordination with pickleball club leadership or through City staff, if feasible.
3. At the conclusion of the 4th week of the trial period, survey residences within 350' of the tennis courts at Linda Beach and Hampton Field in order to evaluate the impact of pickleball noise. If pickleball noise proves to be a significant annoyance to neighbors, suspend the trial at the impacted site(s) and consider engagement of an acoustical consultant for a formal on-site pickleball noise study.

4. Pickleball play shall be allowed at the following times at the Hampton Field tennis courts, inclusive of setup and takedown:
  - a. Wednesday and Friday from 12:30 p.m. to 3:00 p.m.
5. Pickleball play shall be allowed at the following times at the Linda Beach tennis courts, inclusive of setup and takedown:
  - a. Tuesday and Thursday from 10:00 a.m. to 12:30 p.m.
  - b. Sunday from 2:00 p.m. to 4:00 p.m.
6. The established weekend play at the Middle School sport courts shall continue.
7. Staff is authorized to make appropriate adjustments to the times and locations of play at Linda Beach and Hampton Field to account for needs created by the resurfacing and rehabilitation of the Recreation Center tennis courts beginning in May of 2019 and summer programming offered by the Piedmont Recreation Department at Hampton Field.
8. In an effort to mitigate sound impacts, pickleball players must use a racquet on a list approved by the Director of Recreation.
9. The Recreation Department is encouraged to explore clinics to enhance the pickleball experience and open the game to additional users.
10. The Recreation Commission Subcommittee on Tennis Court Use and Pickleball will reactivate to begin review of the pickleball program prior to the end of the 8 month trial period to consider if the program is running smoothly and consistent with the needs of community constituents or if adjustments are needed.

Moved by Cavanaugh, Seconded by Andersen

Ayes: Andersen, Cavanaugh, McBain, Rood

Noes: None

Absent: King

(0745-0625, 0745-0627, 0860-0370)

### **Purchase of a Fire Engine**

Mr. Benoit indicated that the Council had previously authorized the City's participation in the Houston Galveston Area Council's Cooperative Purchasing Program, also known as HGAC BUY, for the purchase of a new fire engine. He discussed the complex specifications and customizations for the purchase of a fire engine and requested that the Council consider a 5% contingency for this purchase.

Fire Chief Bret Black provided more details on the proposed engine to be purchased and specific modifications made to ensure that it would work in Piedmont's unique topography. He indicated that, should the Council authorize the purchase, upon receipt of the new engine, the current front line engine would become the backup and the current backup would be sold.

There was no **Public Testimony** on the matter.

### **Resolution No. 11-19**

RESOLVED, that the City Council approves a purchase agreement with Golden State Fire Apparatus for the purchase of a Pierce Enforcer PUC – Triple Combination Pumper Fire Apparatus in the amount of \$714,740.28, with an additional contingency fund of 5%, based on a 100% prepayment option and appropriates an additional \$52,713 from the equipment replacement fund for the purchase.

Moved by Rood, Seconded by Cavanaugh

Ayes: Andersen, Cavanaugh, McBain, Rood

Noes: None

Absent: King  
(0045)

**FY 18-19 Mid-Year  
Financial Report**

City Administrator Benoit reported that the Council adopted the FY 18-19 budget in June 2018. He indicated the City remains in good financial health and that the projections contained in the FY 18-19 budget have been remarkably accurate. He indicated the Finance Director would brief the Council on key points in the Mid-Year Report.

Finance Director Mike Szczech reviewed the status of the FY 18-19 budget giving details on revenues and expenditures. He presented the proposed mid year appropriations, explaining why staff believes they are necessary.

In response to Council questions, Mr. Szczech discussed liability insurance and revenues expenses associated with mutual aid response to wildfires. Assistant City Administrator / City Clerk John Tulloch explained the business license process.

The Council requested additional information on CalPERS liability and an update on multi-year facilities maintenance.

There was no **Public Testimony** on the matter.

**Resolution No. 12-19**

RESOLVED, that the City Council approves mid-year appropriations, as follows:

- Third party engineering and inspection costs - \$145,000
- Temporary Repair of Cavendish Lane - \$ 55,000
- Workers compensation - \$ 80,000
- Liability insurance - \$ 50,000

Moved by Rood, Seconded by Cavanaugh  
Ayes: Andersen, Cavanaugh, McBain, Rood  
Noes: None  
Absent: King  
(0165)

**REPORTS AND  
ANNOUNCEMENTS**

Councilmember Cavanaugh announced fire extinguisher training to be offered by the fire department on March 30<sup>th</sup>. She encouraged residents to contribute to the rehabilitation of the Recreation Center Tennis Courts through the Piedmont Recreational Facilities Organization. She also announced the upcoming Appreciating Diversity Film Series presentation of "The Push Outs."

Councilmember Andersen announced that the Planning Commission would hold its annual Design Awards Presentation on March 14. She announced the Piedmont Community Church's Treasures Sale on March 16 and 17. She indicated that the Alameda County Civil Grand Jury is recruiting for new members and that information is available on the City's website.

Mayor McBain announced the upcoming Park Commission meeting on March 6 and ongoing Heritage Tree nominations.

**ADJOURNMENT**

There being no further business, Mayor McBain adjourned the meeting at 10:52 p.m. in memory of Denny McLeod.