

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, June 17, 2019

A Regular Session of the Piedmont City Council was held June 17, 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 June 13, 2019.

CALL TO ORDER

The Council met in Closed Session for (a) Conference with Legal Counsel – Existing Litigation (Govt. Code 54956.9) – Name of Case: Corralejo v. City of Piedmont (Case #: RG18918192). Following the 7:00 p.m. Closed Session, Mayor Bob McBain called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

ROLL CALL

Present: Mayor Bob McBain, Vice Mayor Teddy Gray King, 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, Planning Director Kevin Jackson, Recreation Director Sara Lillevand, Public Works Director Chester Nakahara, City Engineer John Wanger, Associate Planner Chris Yeager, Planning Technician Steven Lizzarago, Human Resources Administrator Stacy Jennings, 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 05/20/19

Ground Transport And First Responder Agreement

Approval of Agreements for Ground Transport and First Responder Advanced Life Support Services with Alameda County (0045, 0480-0370)

Resolution Approving Job Classifications

WHEREAS, the work of the City Clerk's Office has become increasingly complex over the years, with additional regulatory compliance requirements and duties assigned to the office; and

WHEREAS, the City Clerk's Office is currently staffed by the Assistant City Administrator / City Clerk and an Administrative Assistant; and

WHEREAS, over the years, the work assigned to the Administrative Assistant in the City Clerk's Office has become increasingly complex and responsible, with the position evolving into a more specialized role; and

WHEREAS, the job classification of Administrative Assistant no longer adequately encompass the duties of the position; and

WHEREAS, the City Council and staff have placed an ongoing emphasis on Facilities Maintenance; and

WHEREAS, given this emphasis, the Director of Public Works examined the City's facilities maintenance requirements and determined that it would be in the best interest of the City and the employee to create a job classification which fulfilled the ongoing needs of the organization; and

WHEREAS, janitorial services for City facilities currently are handled by a City Maintenance Worker, supplemented by outside contractors; and

WHEREAS, generally, the City's maintenance workers are responsible for upkeep of the storm and sanitary sewers, parks, and streets and the assignment as a custodian was unique; and

WHEREAS, the Civil Service Commission reviewed proposed job classifications for Deputy City Clerk and Custodian/Facilities Maintenance Worker and unanimously recommended Council approval;

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. The job classifications for Deputy City Clerk and Custodian/Facilities Maintenance Worker, as recommended by the Civil Service Commission, are approved.

SECTION 3. The Deputy City Clerk position is hereby added to the Confidential Unit and is subject to the employment terms laid out for the unit in Resolution 24G-18.

SECTION 4. Resolution 24G-18, Appendix A is amended to add the following chart:

Deputy City Clerk	Step 1 0-6 Mo	Step 2 7-18 Mo	Step 3 19-30 Mo	Step 4 31-42 Mo	Step 5 43 Mo +
Effective 7/1/2019	6,420	6,745	7,080	7,434	7,804
Effective 7/1/2020	6,613	6,947	7,292	7,657	8,038

SECTION 5. The Custodian/Facilities Maintenance Worker position is added to the Service Employees International Union Local 1021, Public Work Unit, and is subject to the employment terms laid out for the unit in the Memorandum of Understanding approved by Resolution 13-18.

SECTION 6. The wage for the Custodian/Facilities Maintenance Worker position is hereby set as follows:

Custodian	Step A 0-6 Mo	Step B 7-18 Mo	Step C 19-30 Mo	Step D 31-42 Mo	Step E 43 Mo +
Effective 7/1/2019	4,595	4,825	5,066	5,320	5,586
Effective 7/1/2020	4,733	4,970	5,218	5,479	5,753

(0045, 0750)

Conditional Use Permit For Simple Floors Approval of a Conditional Use Permit for Christian S. Rodriguez of Simple Floors at 1235 Grand Avenue
(0340)

Amendment to Policy For On-Premises Service Consideration of an Amendment to the Policy Allowing for Residents with Certain Physical Limitations to Receive “On-Premises” (Backyard) Service at Curbside Rates
(0490-0700, 0700)

Resolution No. 38-19

RESOLVED, that the City Council approves consent calendar items 1 through 5.

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

PUBLIC FORUM

There were no speakers for Public Forum.

REGULAR AGENDA

The Council considered the following items of regular business:

Appointment of City Administrator

City Attorney Michelle Marchetta Kenyon reported that, following a formal recruitment, Sara Lillevand was selected as the most qualified for City Administrator. She provided an overview of Ms. Lillevand’s experience and qualifications.

There was no **Public Testimony** on this item.

Ms. Lillevand thanked the Council, staff and recreation department for its support.

Resolution No. 39-19

WHEREAS, the City of Piedmont (“City”) has a need to hire a City Administrator; and

WHEREAS, Sara Lillevand possesses the skills and expertise necessary to perform these services; and

WHEREAS, the City desires to enter into an Employment Agreement to set forth the terms and conditions of Ms. Lillevand’s employment;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Piedmont hereby appoints Sara Lillevand as City Administrator and approves the Employment Agreement between the City of Piedmont and Sara Lillevand

and directs the Mayor to execute same for and on behalf of the City of Piedmont.

Moved by Rood, Seconded by Cavenaugh
Ayes: Andersen, Cavenaugh, McBain, Rood
Noes: None
Absent: King
(0045, 0085, 0750)

Coaches Field Concept Plan

City Administrator Paul Benoit indicated that staff had continued its work on the Concept Plan for Coaches Field Expansion with Mark Slichter of Callander & Associates. He indicated that no Council action was requested, but welcomed questions, comments and direction.

Mark Slichter, Callander & Associates, provided Council with a briefing on the current status of the Concept Plan for Coaches Field Expansion. He detailed proposed changes to the site, including the addition of access to the park from Moraga Avenue. He detailed the site modifications included in the plan, including changes to the corporation yard, skate park area, grading, and lighting.

Public Testimony was received from:

Vincent Fisher, suggested the Council decouple the expansion and turf project from lighting. He discussed impacts to neighbors and respect for promises made to neighbors assuring there would be no lighting. He anticipated lawsuits and delays if lighting were included.

Eric Eisemon expressed concern with the cost of the proposed project.

The Council acknowledged the need to make best use of limited facility space in the City and agreed that the proposal was worth investigating. The Council applauded the neighbors for their involvement and collaboration.
(0745-0658)

Coaches Field CEQA Services RFP

City Administrator Benoit explained that the Concept Plan for Coaches Field Expansion had been developed to a state where analysis under the California Environmental Quality Act (CEQA) should be conducted. He requested Council authorization to issue Request For Proposals (RFP) for the work. Public Works Director Chester Nakahara indicated that it was prudent to issue a RFP at this point, in an effort to consider as many issues as could be anticipated.

Douglas Herring, the City's CEQA consultant, explained that although the changes to the project are relatively minor and the City believes that an addendum to the prior Environmental Impact Report may adequately comply with the requirements of the CEQA, the City wants to conduct a preliminary environmental review before deciding whether to prepare an addendum or a supplemental Environmental Impact Report.

Mr. Herring anticipated targeting five to six firms to conduct the work and detailed the process for selecting the firm, indicating that he anticipated the cost as between \$50,000 to \$70,000, depending on the scope of work.

City Attorney Michelle Marchetta Kenyon stated the project would receive the same amount of environmental review as if it were brand new.

Public Testimony was received from:

Mike McConathy discussed the issue of drainage at Coaches Field. He stated lighting would be problematic.

Rabi Nabizadeh stated he was unsure of the impact to property values but questioned the Council's consideration of property values.

Charlotte Tay asked the hours of operation and whether lighting was warranted. She encouraged additional study to determine the need for lights.

Resolution No. 40-19

RESOLVED, that the City Council approves the issuance of a Request for Proposals to solicit responses from qualified firms to provide environmental compliance analysis for the Concept Plan – Coaches Field Expansion Plan by Callander & Associates dated January 9, 2019.

Moved by Rood, Seconded by Cavanaugh

Ayes: Andersen, Cavanaugh, McBain, Rood

Noes: None

Absent: King

(0459, 0745-0658)

Oakland Avenue Bridge Pedestrian Improvement Project City Administrator Benoit reported that the Council had previously authorized staff to solicit bids for the Oakland Avenue Bridge Pedestrian Improvement Project, after receiving a grant from the Alameda County Transportation Commission (ACTC) to help offset the cost of the work. He indicated that four bids were submitted and staff recommended awarding a contract to the Valentine Corporation, Inc.

City Engineer John Wanger described the proposed improvements, and stated their purpose was to provide additional safety for pedestrians on the bridge. He indicated that though the proposed railing would not change the width of the roadway, drivers would perceive it as narrower, which will slow traffic down.

In response to questions from Council, Mr. Nakahara provided information on the height of the proposed railing in relation to automobile side mirrors.

The Council thanked Vice Mayor King for her efforts in obtaining the funding from ACTC.

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

Resolution No. 41-19

WHEREAS, in accordance with the requirements of Chapter 2, Article XV of the Piedmont City Code ("Purchasing Ordinance") the City of Piedmont solicited bids for the Oakland Avenue Bridge Pedestrian Railing Project ("Project"); and

WHEREAS, bids for the Project were opened on May 2, 2019 in accordance with Purchasing Ordinance, California Public Contract Code Section 4104.5 and other applicable laws; and

WHEREAS, four bids were received ranging in price from \$343,369 to \$371,300, with the low bid submitted by Valentine Corporation, Inc. in the amount of \$343,369; and

WHEREAS, staff has determined that the Valentine Corporation, Inc.'s bid satisfies the bidding requirements for the Project; and

WHEREAS, staff has verified that Valentine Corporation, Inc. possesses a valid California Contractor's License under the requested Class A, number 229225 (expires 1/31/20) as required to qualify to perform the Project; and

WHEREAS, the Project has been found to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of Title 14 of the California Code of Regulations as it consists of minor alterations of existing street facilities and involves no expansion of existing uses;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PIEDMONT AS FOLLOWS:

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.
2. In accordance with the Purchasing Ordinance and California Public Contract Code Section 20160 *et seq.*, and other applicable laws, the City Council of the City of Piedmont hereby finds the base bid of Valentine Corporation, Inc. for the Oakland Avenue Bridge Pedestrian Railing Project to be the lowest, responsive bid and waives any irregularities in such bid in accordance with applicable law.
3. The contract for the Oakland Avenue Bridge Pedestrian Railing Project is hereby awarded to Valentine Corporation, Inc. in the amount of \$343,369 conditioned on Valentine Corporation, Inc.'s timely executing the Project contract and submitting all required documents, including, but not limited to, executed bonds/surety, certificates of insurance, and endorsements, in accordance with the Project bid documents.
4. The Mayor is hereby authorized and directed to execute upon submission by Valentine Corporation, Inc. all documents required pursuant to the Project bid documents for performance of the Project.
5. The overall construction budget for the Project be established at \$414,081.
6. City staff is hereby directed to issue a Notice of Award to Valentine Corporation, Inc.
7. The Project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of Title 14 of the California Code of Regulations.
8. All portions of this resolution are severable. Should any individual component of this Resolution be adjudged to be invalid and unenforceable by a body of competent jurisdiction, then the remaining resolution portions shall be and continue in full force and effect, except as to those resolution portions that have been adjudged invalid. The City Council of the City of Piedmont hereby declares that it would have adopted this Resolution and each section, subsection, clause, sentence, phrase and other portion thereof, irrespective of the fact that one or more section subsection, clause sentence, phrase or other portion may be held invalid or unconstitutional.

Ayes: Andersen, Cavanaugh, King, McBain, Rood

Noes: None
Absent: King
(0045)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember Cavanaugh provided information on the City's ongoing efforts for wildfire preparedness. She encouraged residents to enjoy the Fourth of July Pancake Breakfast, Parade, and Party in the Park. She announced that the East Bay Regional Park District is seeking input on the districts future priorities and direction.

Councilmember Andersen announced National Night Out on August 6th and encouraged residents to contact the Police Department if they wish to participate.

Councilmember Rood requested a future agenda item to discuss the procedure for the City's response to requests from the League of California Cities to take positions on pending legislation.

Councilmember Rood indicated that this would be his final meeting with retiring City Administrator Paul Benoit and thanked him for his service.

The Council invited residents to a reception for City Administrator Benoit on July 1, from 5-7 p.m.

ADJOURNMENT

There being no further business, Mayor McBain adjourned the meeting at 9:07 p.m.