

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, July 1, 2019

A Regular Session of the Piedmont City Council was held July 1, 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 27, 2019.

CALL TO ORDER 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 and Betsy Smegal Andersen

Absent: Councilmember Tim Rood

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, Finance Director Mike Szczech, City Engineer John Wanger, Senior Planner Pierce Macdonald-Powell, Assistant Planner Mira Hahn, 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 05/11/19 and 06/03/19

Renewed Agreement Regarding Collection of Taxes Approval of a Renewed Agreement with Alameda County Regarding Collection of Taxes (0045)

Renewed Agreement For Crossing Guard Services Approval of a Renewed Agreement with All-City Management Services for Crossing Guard Services (0045)

Renewed Agreement For Use of Training Facilities Approval of a Renewed Agreement with Alameda County Sheriff's Office for Use of Training Facilities (0045, 0785)

Renewed Agreement For Community Development Block Grant Funds Approval of a Renewed Agreement with Alameda County Related to the City's Community Development Block Grant Fund and Authorize the City Administrator to Sign This and Future Funding Agreement for the Community Development Block Grant Program in Amounts Not to Exceed \$75,000. (0045)

Resolution No. 42-19

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

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

Agreement for Planning Director Kevin Jackson requested Council approval of an agreement

Civic Spark Fellow

with the Local Government Commission to facilitate the placement of a Civic Spark Fellow with the City. He provided information on the work of the previous climate fellows, indicating that their work was essential to the continued implementation of climate action goals.

Mr. Jackson thanked outgoing fellow Brooke Edell for her work.

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

Resolution No. 43-19

RESOLVED, that the City Council to approve an agreement with the Local Government Commissioner for the Placement of a Civic Spark Fellow for FY 19-20.

Moved by Andersen, Seconded by Cavanaugh

Ayes: Andersen, Cavanaugh, King, McBain

Noes: None

Absent: Rood

PUBLIC FORUM

Sunny Bostrom-Fleming discussed a recent pit bull attack and restated her 2016 comments encouraging the Council to make it illegal to own pit bulls.

Rachel Livoni discussed removal of Redwood trees from private property neighboring hers and expressed concerns that the removal eliminated privacy screening, decreasing her property value and compromising the soil integrity.

REGULAR AGENDA

The Council considered the following items of regular business:

**Financial System
Replacement**

City Administrator Paul Benoit discussed the City's Information Technology Strategic Plan, indicating that one of the major initiatives in the plan was to replace the City's current antiquated financial management system with a modern Enterprise Resource Planning (ERP) system, which integrates a host of functions. He explained the process used to develop the Request for Proposals (RFP) for a new ERP system. He indicated that two firms submitted proposals, and that each firm conducted demonstrations of their software for all city departments. Mr. Benoit reported that staff had determined that Caselle, Inc. is the best match for the City's needs.

Finance Director Mike Szczech provided detail on the selection process. He noted that a new ERP system will integrate and automate many processes which are currently conducted manually. Mr. Szczech indicated that the Caselle software was selected as being more user friendly, having an online portal for all employees, and lower price.

Mr. Szczech indicated that staff had selected a cloud based system, which provides many benefits for the City and is protected by the highest security protocols. Tom Jakobsen of ClientFirst Technology Consulting, the City's IT management consultant, explained cloud hosting services and indicated minimal concern regarding risk.

Finance Director Szczech indicated the first-year cost at \$207,000, from the Equipment Replacement Fund and General Fund. He stated the system would allow credit card payments.

In response to Council questions, Mr. Szczech discussed the use of OpenGov software. Mr. Benoit indicated that he anticipated continued use of OpenGov

with a public facing portal.

The Council acknowledged staff for moving the City forward and providing residents the ability to make electronic payments.

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

Resolution No. 44-19

RESOLVED, that the City Council authorizes the City Administrator to sign the Software as a Service agreement with Caselle, Inc. for an Enterprise Resource Planning System (ERP).

Moved by Cavanaugh, Seconded by King

Ayes: Andersen, Cavanaugh, King, McBain

Noes: None

Absent: Rood

(0045, 0385, 0475-0370)

**Automated
License Plate
Recognition System
Expansion**

City Administrator Benoit reported that the City has a robust automated license plate recognition (ALPR) system, with readers were installed at fifteen of the twenty four entrance points to the City. He indicated that the Police Department is proposing an expansion, which would cover an additional four intersections. Mr. Benoit provided information on the analysis of the current and proposed system and the determination that it was likely that current funding for maintenance and replacement was sufficient, and that future requests for funding would likely remain at the same level in the future.

Police Chief Jeremy Bowers provided information on the history of the system, as well as program metrics, equipment replacement needs, proposed new locations, and fiscal considerations. He directed residents to the City's web site to review the City's License Plate Reader policy.

In response to Council inquiries, Chief Bowers discussed the partnership with the Northern California Regional Intelligence Center (NCRIC) and sharing of information. He explained messaging the use of technology as a general deterrent and for public transparency. He explained enhanced relationships and benefits with neighboring jurisdictions. Chief Bowers discussed the use of mobile readers. He stated the system should continually be monitored to determine future use and coverage.

Public Testimony was received from:

Don Arana-Fogg, Oakland Privacy, expressed concern with surveillance and stated he was glad the City partnered with NCRIC to reduce reporting to ICE.

Mike Katz-Lacabe, Director for Center for Human Rights and Privacy and Member of Oakland Privacy, requested a privacy impact assessment for license plate readers. He stated the system collected data before any crime has been committed and 99.96% of data was not relevant to any crime. He suggested reducing the length of time the data was stored.

Sunny Bostrom-Fleming indicated support for the cameras and signage.

Joseph Gold indicated support for license plate readers due to increasing crime, stolen cars, robbery and uncontrolled speeding, including bicycles.

Debbie Dare thanked the Council and Chief Bowers for listening to their concerns about safety and for taking steps to install ALPRs.

Chief Bowers stated the ALPR policy was online on the City's website.

Resolution No. 45-19

RESOLVED, that the City Council approves the expansion of the ALPR camera system to include five new intersections and the replacement of five failing cameras at the intersection of Grand Avenue and Wildwood Avenue.

Moved by King, Seconded by Andersen

Ayes: Andersen, Cavanaugh, King, McBain

Noes: None

Absent: Rood

(0785-0370)

**Priority Sewer
Rehabilitation Project**

City Administrator Paul Benoit explained that Public Works staff regularly maintains the City's sanitary sewer system. He reminded the Council that the City, under the EPA Consent Decree, is well ahead of the required timeline for rehabilitation of the system. He indicated that, in the course of regular inspections, the lines in question were determined to need priority replacement, out of sync with the phased replacement currently under way.

Public Works Chester Nakahara stated the EPA Consent Decree required the City to inspect and clean its system every five years, but the City inspected every four years. He explained staff's training enabling determination of significant deterioration.

Mr. Benoit reported that bids were solicited in March and eight firms submitted proposals. Mr. Nakahara explained that the two lowest bids were determined to be non-responsive following City Attorney and City Engineer review, because they failed to submit some of required documentation. He recommended Council award the contract in the amount of \$279,995 to Roto Rooter.

Public Testimony was received from:

Rachel Livoni indicated her support for the proposal and thanked Council and staff for its work.

Resolution No. 46-19

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 2019 Priority Sewer Rehabilitation Project ("Project"); and

WHEREAS, bids for the Project were opened on April 9, 2019 in accordance with Purchasing Ordinance, California Public Contract Code Section 4104.5 and other applicable laws; and

WHEREAS, eight bids were received ranging in price from \$174,250 to \$448,000; and

WHEREAS, the low bid of APB General Engineering and second lowest bid of Glosage Engineering were found to be non-responsive to the requirements as specified in the bid documents; and

WHEREAS, the lowest responsive bid was submitted by Sanact, Inc., dba Roto-

Rooter, Inc. in the amount of \$279,995; and

WHEREAS, staff has determined that the Sanact, Inc., dba Roto-Rooter, Inc.'s bid is responsive and satisfies the bidding requirements for the Project; and

WHEREAS, staff has verified that Sanact, Inc., dba Roto-Rooter, Inc. possesses a valid California Contractor's License under the requested Class A, number 604196 (expires 10/31/20) 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(b) of Title 14 of the California Code of Regulations as it consists of minor alterations of existing city-owned sewerage facilities and the project involves no expansion of an existing use.

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 bid of Sanact, Inc., dba Roto-Rooter, Inc. for the 2019 Priority Sewer Rehabilitation Project to be the lowest, responsive bid and waives any irregularities in such bid in accordance with applicable law.
3. The contract for the 2019 Priority Sewer Rehabilitation Project is hereby awarded to Sanact, Inc., dba Roto-Rooter, Inc. in the amount of \$279,995 conditioned on Sanact, Inc., dba Roto-Rooter, 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 Sanact, Inc., dba Roto-Rooter, 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 \$356,590.
6. City staff is hereby directed to issue a Notice of Award to Sanact, Inc., dba Roto-Rooter, Inc.
7. The Project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(b) and 15302(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.
Moved by Cavanaugh, Seconded by King
Ayes: Andersen, Cavanaugh, King, McBain,
Noes: None
Absent: Rood
(0045)

**REPORTS AND
ANNOUNCEMENTS**

Fire Chief Bret Black urged residents to celebrate Independence safely. He indicated that are illegal in the City of Piedmont and could be surrendered at the Fire Station for proper disposal.

Councilmember Andersen announced the National Night Out on August 6th and encouraged residents to contact the Police Department if they are interested in participating. She indicated that the Planning Commission would not be holding its July 8th meeting.

Councilmember Cavanaugh announced the City's annual 4th of July events, stated that the the Park Commission would not be conducting its July meeting, reminded residents that AC transit fares would be increasing, and that Stop Waste was hosting Plastic Free July.

Mayor McBain stated the tennis and middle school multisport courts projects were on schedule. He indicated the annual employee appreciation event was a great success.

The Council and City Attorney thanked City Administrator Paul Benoit for his service to the City and wished him well in retirement.

ADJOURNMENT

There being no further business, Mayor McBain adjourned the meeting at 9:16 p.m. in honor of Paul Benoit's contribution to Piedmont during his five years as City Administrator.