

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Tuesday, January 21, 2020

A Regular Session of the Piedmont City Council was held January 21, 2020, 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 January 16, 2020.

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, Vice Mayor Teddy Gray King, and Councilmembers Jennifer Cavanaugh, Tim Rood, and Betsy Smegal Andersen

Staff: City Administrator Sara Lillevand, City Attorney Michelle Marchetta Kenyon, Public Works Director Chester Nakahara, Planning & Building Director Kevin Jackson, 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 09/23/2019 and 12/16/2019

Acceptance of 2018 Pavement Project WHEREAS, at the May 6, 2019 City Council meeting, the City Council approved an overall budget for the 2018 Pavement Project (Project) and authorized the award of the construction project to Gallagher & Burk, Inc.; and

WHEREAS, the Project has been inspected and determined to have been completed in accordance with the contract requirements; and

WHEREAS, based upon the foregoing, staff recommends acceptance of the Project on behalf of the City.

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

1. The City hereby accepts the improvements associated with the 2018 Pavement Project.
2. Authorizes the Public Works Director to retain the Performance Bond, Labor & Material Bond, and the Maintenance Bond for a period of one year from the date of this resolution, at which time the Public Works Director is authorized to release said bonds if the improvements remain in good condition and there is no issues to be resolved.
3. Authorizes and directs the Public Works Director to file a Notice of Completion concerning the Project with the Alameda County Clerk's Office within ten (10) days of the date of this Resolution.
(0045, 1000)

Resolution No. 04-2020

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

Moved by King, Seconded by Rood

Ayes: Andersen, Cavanaugh, King, McBain, Rood

Noes: None

Absent: None

Councilmembers Andersen and Rood abstained from the vote on the September 23, 2019 minutes.

PUBLIC FORUM

There was no **Public Testimony**.

REGULAR AGENDA

The Council considered the following items of regular business:

1st Reading of Ord. 747 N.S – Modifying Accessory Dwelling Unit Regulations City Administrator Sara Lillevand reported the City's Housing Element relies on accessory dwelling units (ADU) to provide new housing units. She indicated the state legislature had passed several laws, which took effect on January 1, 2020 to restrict the ability of cities to regulate ADUs. She indicated that the proposed ordinance will make revisions to Chapter 17 of the City Code to bring Piedmont's ADU regulations into conformance with these new state laws.

Planning & Building Director Kevin Jackson explained that local ADU ordinances not in compliance with new state laws will be deemed invalid. He reviewed proposed substantive changes to Chapter 17 and the Planning Commission's recommendation. Mr. Jackson advised that staff is preparing objective design standards for ADUs.

Public Testimony was received from:

Dimitri Magganas believed accessory units improve the community's social bonds and recommended the Council prepare for additional restrictive changes from the State Legislature.

Michael Henn suggested the Council delay approving the proposed ordinance and consider changes to Chapter 17 when the Department of Housing and Community Development issues guidelines regarding implementation of this new legislation.

The Council discussed the proposed ordinance at length. Councilmembers expressed interest in allowing two-story ADUs when possible and increasing the proposed height limit of 16 feet. The Council agreed that approving the ordinance now was a necessary step and that future revisions could be made when the state issues guidance.

Resolution No. 05-2020

RESOLVED, that the City Council approves the first reading of Ordinance 747 N.S., amending City Code Chapter 17 to regulate accessory dwelling units in accordance with recent state legislation.

Moved by Rood, Seconded by King

Ayes: Andersen, Cavanaugh, King, McBain, Rood

Noes: None

Absent: None

(0705)

Cavendish Lane Improvement Project

Ms. Lillevand summarized the history of the road failure, negotiations with the City of Oakland, and the improvement project.

Public Works Director Chester Nakahara recalled the innovative measures used to repair the road temporarily. He reported the project was completed on time and under budget.

Joe Madison, A-1 Construction, thanked the Council for the opportunity to work

for the City and hoped to work with the City again.

Tony Fisher, Coastland Civil Engineering, advised that A-1 personnel proposed the solution for residential access during construction and that working with A-1 Construction has been an exceptional experience.

Public Testimony was received from:

Hellmuth Zieleniewicz thanked the City for repairing the road and indicated A-1 Construction personnel have been helpful.

The Council voiced gratification with the speed and quality of the road repair and appreciation for residents' patience. In addition, the Council thanked Sally Baack for her persistent yet cordial reminders about repairing the roadway.

Resolution No. 06-2020

WHEREAS, at the September 23, 2019 City Council meeting, the City Council approved an overall budget for the Cavendish Lane Improvement Project (Project) and authorized the award of the construction project to A-1 Construction General Engineering; and

WHEREAS, the Project has been inspected and determined to have been completed in accordance with the contract requirements; and

WHEREAS, based upon the foregoing, staff recommends acceptance of the Project on behalf of the City.

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

1. The City hereby accepts the improvements associated with the Cavendish Lane Improvement Project.
2. Authorizes the Public Works Director to release the Performance and Labor & Material surety posted with this project; and to hold the Maintenance Bond for a period of one year from the date of this resolution, at which time the Public Works Director is authorized to release said bond if the improvements remain in good condition and there is no issues to be resolved.
3. Authorizes and directs the Public Works Director to file a Notice of Completion concerning the Project with the Alameda County Clerk's Office within ten (10) days of the date of this Resolution

Moved by King, Seconded by Cavanaugh
Ayes: Andersen, Cavanaugh, King, McBain, Rood
Noes: None
Absent: None
(0045, 1000)

**REPORTS AND
ANNOUNCEMENTS**

Mayor McBain commended staff and the Piedmont Appreciating Diversity Committee for a successful and well-attended Martin Luther King, Jr. Day

Celebration. Mayor McBain provided a summary of activities of the Alameda County Transportation Commission Planning, Policy and Legislation Committee.

Councilmember Andersen announced the City will host a Community Forum on January 29th at 6:30 p.m. and workshops on February 12th and 26th regarding potential Building Code revisions to promote sustainability. She also announced Piedmont High School performances of *Into the Woods* will begin January 30 and the League of Women Voters' Policy Soup Lunch and Great Decisions programs.

Vice Mayor King announced the Family Justice Center will hold its annual fundraiser on February 1st.

Councilmember Cavanaugh announced the League of Women Voters' Candidate Forum will be held on February 11th and the Association of Bay Area Government's general assembly to discuss housing issues will be held on February 7th.

ADJOURNMENT

There being no further business, Mayor McBain adjourned the meeting at 9:08 p.m.