

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, March 16, 2020

A Regular Session of the Piedmont City Council was held March 16, 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 March 12, 2020.

CALL TO ORDER Mayor Bob McBain called the meeting to order at 7:34 p.m. with the Pledge of Allegiance.

ROLL CALL Present in Person: Mayor Bob McBain and Councilmember Jennifer Cavanaugh
Present by Teleconference: Vice Mayor Teddy Gray King and Councilmembers Betsy Smegal Andersen and Tim Rood

Staff: City Administrator Sara Lillevand and City Attorney Michelle Marchetta Kenyon appearing in person and Fire Chief Bret Black and Police Chief Jeremy Bowers appearing by teleconference

CONSENT CALENDAR The Consent Calendar consisted of the following items:

Council Meeting Minutes Approval of Council Meeting Minutes for 02/18/2020

2nd Reading of Ord. 748 N.S. – Adopting 2019 Cal. Code of Regulations 2nd Reading of Ord. 748 N.S. – Adoption of the 2019 California Code of Regulations; Title 24; and Reorganization and Amendments to Chapters 5 and 8 of City Code (0705)

1st Reading of Ord. 749 N.S. -- Amending Ch. 1 & 6 of City Code Introduction and 1st Reading of Ord. 749 N.S. – Amending Chapters 1 and 6 of the City Code to Designate the Planning Commission as the Appeal Body for Violations Involving Building Standard or State Housing Law (0705)

Resolution No. 15-2020

RESOLVED, that the City Council approves the consent calendar.

Moved by Rood, Seconded by King

Ayes: Andersen, Cavanaugh, McBain, Rood

Noes: None

Abstain: King

Absent: None

PUBLIC FORUM There was no **Public Testimony**.

REGULAR AGENDA The Council considered the following items of regular business:

Resolution Ratifying Proclamation of Local Emergency City Administrator Sara Lillevand recommended the Council amend its posted agenda to add the adoption of a resolution ratifying a proclamation of local emergency regarding the COVID-19 outbreak.

City Attorney Michelle Marchetta Kenyon indicated the two findings the Council would need to make by a four-fifths vote in order to add an urgency item to the agenda.

Resolution No. 16-2020

RESOLVED, that the City Council approves amending the agenda to add an item for the adoption of a resolution ratifying a proclamation of local emergency by the Director of Emergency Services, finding that the need to take action arose after the posting of the agenda and a need to take action prior to the next Council

meeting.

Moved by Cavanaugh, Seconded by McBain

Ayes: Andersen, Cavanaugh, King, McBain, Rood

Noes: None

Ms. Lillevand noted the staff report was provided electronically to Councilmembers and is available in the Council Chambers. She advised that the COVID-19 outbreak is causing changes hourly, and the proclamation will allow the City to respond to changes and to recover costs associated with the public health emergency. She indicated the nature of essential services and changes to City staffing and services.

Ms. Kenyon explained the need to ratify the proclamation, the suspension of Brown Act provisions, and the receipt of public testimony.

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

Councilmembers asked questions about the definition of essential services, the application of virtual public meetings, and the technology needed to do so.

Resolution No. 17-2020

WHEREAS, Government Code Section 8630 and Chapter 5A, et seq., of the Piedmont City Code empower the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City Council is not in session, subject to confirmation by the City Council at the earliest possible time; and

WHEREAS, the City Administrator is the Director of Emergency Services of the City of Piedmont; and

WHEREAS, on or about March 4, 2020, as part of the State of California's response to address the global COVID-19 outbreak, Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19 following one official COVID-19 death; and

WHEREAS, on March 5, 2020, the Alameda County Health Officer declared a Local Health Emergency pursuant to Health and Safety Code Section 101080 based on the imminent and proximate threat to public health from the introduction of COVID-19 in Alameda County, which was ratified by the Board of Supervisors for Alameda County on March 6, 2020; and

WHEREAS, on March 11, 2020, the World Health Organization ("WHO") characterized COVID-19 as a global pandemic and the number of cases will tragically continue to increase across the United States and globally; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N 25-20, which provided that non-essential gatherings must be limited to no more than 250 people, while smaller events can proceed only if the organizers can implement social distancing of 6 feet per person. Gatherings of individuals who are at higher risk for severe illness from COVID-19 should be limited to no more than 10 people, while also following social distancing guidelines; and

WHEREAS, as of March 13, 2020, there are 1,629 confirmed cases of COVID-19 in the United States, including an estimated 224 reported cases of COVID-19 in California; and

WHEREAS, as of March 16, 2020, the Alameda County Health Officer issued an order requiring all persons to shelter in place at their residences, and prohibiting all non-essential gatherings and travel, only exempting essential activities, essential business operations and essential governmental functions; and

WHEREAS, in response to these developments, the City Administrator in her capacity as the City's Director of Emergency Services has proclaimed the existence of a local emergency;

WHEREAS, as contemplated in the Emergency Service Act contained in Government Code Sections 8550, et seq., including Section 8558(c), a local emergency exists because of the existence of conditions of disaster or of extreme peril to the safety of persons and property within the City of Piedmont caused by the aforesaid conditions which are likely beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions to combat, and the declaration of a local emergency shall enable the City of Piedmont and other local government entities to adequately plan, prepare and secure resources to be able to effectively respond to the threat posed by COVID-19.

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

1. The proclamation of existence of a local emergency, as issued by the City Administrator in her capacity as the Director of Emergency Services, is hereby ratified; and
2. In accordance with Government Code Section 8360 and the Governor's March 4, 2020 Order, this local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Piedmont, and it shall be terminated at the earliest possible date that conditions warrant.

Moved by Cavanaugh, Seconded by Rood
Ayes: Andersen, Cavanaugh, King, McBain, Rood
Noes: None
(0440)

Due to the local emergency, the Council agreed to defer the consideration of the additional items on tonight's agenda to a subsequent meeting.

**REPORTS AND
ANNOUNCEMENTS**

Fire Chief Bret Black announced changes to procedures for handling emergency medical calls for service.

Police Chief Jeremy Bowers reported that temporary changes in Police Department services will be announced and disseminated shortly.

ADJOURNMENT

There being no further business, Mayor McBain adjourned the meeting at 8:07 p.m.