

PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Monday, September 8, 2020

Special and Regular Sessions of the Piedmont City Council were held September 8, 2020, via teleconference, consistent with Executive Orders N-25-20 and N-29-20 and the Alameda County Health Official's Order #20-04. In accordance with Government Code Section 54957(b), the agenda for this meeting was posted for public inspection on September 3, 2020.

CALL TO ORDER

Mayor Bob McBain called the meeting to order at 6:04 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, Assistant City Attorney Deepa Sharma, Police Chief Jeremy Bowers, Planning & Building Director Kevin Jackson, Public Works Director Chester Nakahara, Recreation Director Chelle Putzer, Finance Director Michael Szczech, Human Resources Administrator Stacy Jennings, and Assistant City Administrator / City Clerk John Tulloch

The Council viewed Piedmont High School students' video regarding the importance of face coverings.

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

Council Meeting Minutes

Approval of Council Meeting Minutes for 07/20/2020, 08/03/2020, and 08/17/2020

Voting Delegate & Alternates for 2020 League of California Cities Conference

Appointment of Voting Delegate and Alternates for the 2020 League of California Cities Conference (0085)

Application Related to Prop. 68 Per Capita Program

Consideration of a Resolution Authorizing a Grant Application Related to the Proposition 68 Per Capita Program (0525)

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

WHEREAS, the grantee will enter into a contract(s) with the State of California to complete project(s);

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Piedmont does hereby resolve, declare, determine, and order as follows:

1. Approves the filing of project application(s) for Per Capita program grant project(s); and

2. Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and
3. Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s), and
4. Certifies that all projects proposed will be consistent with the park and recreation element of the City of Piedmont General Plan (PRC §80063(a)), and
5. Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)), and
6. Certifies that it will comply with the provisions of §1771.5 of the State Labor Code, and
7. (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the “Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters,” dated January 12, 2017, the City of Piedmont will consider a range of actions that include, but are not limited to, the following:
 - a) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
 - b) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
 - c) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse population.
 - d) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.
 - e) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.
 - f) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs. Identifying possible staff liaisons to diverse populations.
8. Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).
9. Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient’s annual expenditures. (PRC §80062(d)).

10. Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and

11. Delegates the authority to the City Administrator or designee, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and

12. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

13. 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.

Resolution No. 72-2020

RESOLVED, that the City Council approves Items 1, 3 and 4 of the consent calendar.

Moved by King, Seconded by Cavanaugh

Ayes: Andersen, Cavanaugh, King, McBain, Rood

Noes: None

Absent: None

**1st Reading of Ord.
756 N.S. Adding Fire
Safety Provisions**

Vice Mayor King requested removal of this item from the consent calendar to inquire about COVID-19 guidelines for upcoming holiday events. (0705)

City Administrator Sara Lillevand advised that staff is consulting with the County regarding guidelines for Halloween events and will provide the Council with a COVID update at the next meeting.

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

**Job Classification for
Sustainability
Manager**

Councilmember Cavanaugh requested removal of this item from the consent calendar to inquire about adding climate adaptation to the job description. (0045, 0750)

Planning & Building Director Kevin Jackson indicated climate adaptation is included in the job description as implementing the climate action program, for which the Climate Action Plan is the primary document. He added that climate adaptation specifically can be added to the job functions if the Council wishes.

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

The Council supported amending the job classification to include climate adaptation.

WHEREAS, the call for the creation of a Sustainability Program Manager position originated with the Environmental Task Force when in 2009 it included the creation of a Sustainability Coordinator position at the top of its recommendations to the City Council; and

WHEREAS, staff time dedicated to climate action has increased as it has become a greater priority for the community; and

WHEREAS, staff time dedicated to the storm water protection program has increased in response to regulations, including the green infrastructure requirements; and

WHEREAS, beginning in July 2018, the City assumed the responsibility of public engagement programs for solid waste diversion, and compliance with SB 1383 will require more staff time dedicated to enforcement and implementation of organic waste diversion programs; and

WHEREAS, the responsibilities for these for Climate Action, clean water, and solid waste public engagement have been spread across staff in the Public Works Department and the Planning & Building Department, but have not had any one person focusing on them full-time; and

WHEREAS, the Civil Service Commission reviewed a proposed job classification for Sustainability Program Manager 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 classification for Sustainability Program Manager, as recommended by the Civil Service Commission, and amended by the City Council, is approved.

SECTION 3. The Sustainability Program Manager position is hereby added to the Professional, Technical, & Supervisory Unit and is subject to the employment terms laid out for the unit in Resolution 24H-18.

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

Sustainability Program Manager	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 7/1/2020	7,562	7,942	8,337	8,754	9,192

Resolution No. 73-2020

RESOLVED, that the City Council approves Item 2 and Item 5 as amended of the consent calendar.

Moved by Cavanaugh, Seconded by King

Ayes: Andersen, Cavanaugh, King, McBain, Rood

Noes: None

Absent: None

PUBLIC FORUM

Public Testimony was received from:

Board of Education Member Cory Smegal read a letter from the Board of Education in support of Measure UU.

REGULAR AGENDA

The Council considered the following items of regular business:

**Police Department
Report – 2nd Quarter
2020**

Police Chief Jeremy Bowers presented information regarding increases in larceny thefts, auto thefts, and residential burglaries; investigation of sexual assault reports; installation of additional automated license plate readers (ALPR); examination of additional public safety cameras; ALPR incidents and arrests; crime map; collision reports and incidents; text to 911; and the strategic plan update.

Public Testimony was received from:

Faruz Abdullah and Susie Struble commended Chief Bowers for his responsiveness to concerns regarding racism and equity and supported the collection of data.

Councilmembers appreciated the thorough report, the Police Department's responsiveness to the community, and the inclusion of community outreach in the strategic plan update.
(0785)

**Sustained Closure of
Piedmont Community
Pool**

City Administrator Sara Lillevand reviewed the Council's direction to staff on June 29th, staff's research into public pool operations under COVID-19 restrictions, and the release of new County guidelines regarding pools. She reported all scenarios for reopening the pool in compliance with the restrictions will require extensive resources and provide very limited service. Ms. Lillevand noted the repairs needed to make the pool operational and the difficulty of hiring staff. She indicated reopening the pool now or in the foreseeable future is not feasible, realistic, or practical given the pool's current state of disrepair, COVID-19 restrictions, and significant staffing challenges.

Recreation Director Chelle Putzer related that a maximum total of 15 people could occupy the three pools for recreational swimming and six people for lap swimming under the restrictions and that historically hiring lifeguards during the school year has been difficult.

Public Testimony was received from:

Amy Aubrecht advised that the Campaign for Measure UU will continue its work regardless of the Council's decision.

Carol Galante inquired about the possibility of reopening the pool prior to building a new pool and the cost of repairing the pool and wanted the Council to repair the pool until a new one is constructed.

Mayor McBain clarified that staff is recommending the pool remain closed while COVID-19 restrictions are in effect. Ms. Lillevand added that the Council may reconsider staff's decision at any time in the future.

Councilmembers supported staff's recommendation and noted the vote on Measure UU will allow staff and the Council to plan for interim operation of the existing facility.

(0270-1022, 0860-1022)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember Cavanaugh announced a virtual panel discussion of racial segregation and housing in Piedmont is scheduled for September 24th.

Councilmember Andersen announced registration for session 2 of the Recreation Department's camps and classes will open at 8:00 a.m. on September 9th; the deadline to enter the virtual Harvest Festival contests is September 18th; and the League of Women Voters has endorsed both of the City ballot measures on the November ballot.

Vice Mayor King announced the City/School Liaison Committee will meet on September 15th and commended Assemblymember Wicks for voting in-person while caring for an infant.

Councilmember Rood announced the deadline to apply for the Pedestrian and Bicycle Advisory Committee is September 25th and East Bay Community Energy's (EBCE) Resilient Home program will hold virtual workshops about home solar and battery backup systems on September 24th, 29th, and 30th.

ADJOURNMENT

There being no further business, Mayor McBain adjourned the meeting at 8:33 p.m.