

PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Tuesday, February 16, 2021

Special and Regular Sessions of the Piedmont City Council were held February 16, 2021, via teleconference, consistent with Executive Orders N-25-20 and N-29-20 and the Alameda County Health Official's Shelter In Place Orders. In accordance with Government Code Section 54957(b), the agenda for this meeting was posted for public inspection on February 11, 2021.

CALL TO ORDER Mayor Teddy King called the meeting to order at 6:05 p.m. with the Pledge of Allegiance.

ROLL CALL Present: Mayor Teddy Gray King, Vice Mayor Tim Rood (joined at 6:12 p.m.) and Councilmembers Jennifer Cavanaugh, Betsy Smegal Andersen, and Conna McCarthy

Staff: City Administrator Sara Lillevand, Assistant City Attorney Deepa Sharma, Police Chief Jeremy Bowers, Public Works Director Daniel Gonzalez, Recreation Director Chelle Putzer, Finance Director Michael Szczech, Parks and Project Manager Nancy Kent, Sustainability Program Coordinator Alyssa Dykman, Special Assistant Paul Benoit, and Assistant City Administrator / City Clerk John Tulloch

CONSENT CALENDAR The Consent Calendar consisted of the following items:

Minutes Approval of Meeting Minutes for 01/19/2021 and 02/01/2021

2019-20 Financial Statements Acceptance of the 2019-2020 Audited Financial Statements (0100)

Resolution No. 09-2021

RESOLVED, that the City Council approves the consent calendar.

Moved by Andersen, Seconded by McCarthy

Ayes: McCarthy, Andersen, Cavanaugh, King

Noes: None

Absent: Rood

Mayor King abstained from the vote on the January 19, 2021 Meeting Minutes

PUBLIC FORUM **Public Testimony** was received from:

Rick Krumins, Amy Aubrecht, and Bradley Smet requested the Council consider opening the Community Pool for student-athletes' use in aquatic training and competitions.

CEREMONIAL ITEMS Mayor King presented a proclamation for Black History Month. Councilmembers acknowledged the importance of commemorating Black History in Piedmont.

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

Piedmont Community Pool Project Management Services RFP City Administrator Sara Lillevand reported that hiring the right project manager/owner's representative is critical to the success of the Community Pool project. She introduced the internal staff team for the project.

Special Assistant Paul Benoit described the responsibilities and expectations

contained in the Request for Proposals (RFP) for a project manager/owner's representative. He noted staff will actively identify and encourage experienced and professional project managers to respond to the RFP.

Public Testimony was received from:

Garrett Keating suggested revisions to the RFP and staff provide a timeframe for the design team to begin work.

Tom Webster inquired regarding the availability of the survey.

Councilmembers were delighted with the project's progress and suggested staff prepare an aquatics newsletter for the community.

Resolution No. 10-2021

RESOLVED, that the City Council authorizes staff to issue a Request for Proposals (RFP) for Project Management/Owners Representative services for the design and construction of the Piedmont Community Pool.

Moved by Andersen, Seconded by Rood

Ayes: McCarthy, Andersen, Cavanaugh, Rood, King

Noes: None

Absent: None

(0270-1022)

Proposition 68 Grant Application and CEQA Exemption for Linda Beach Conceptual Master Plan Project, Phase 1

Ms. Lillevand indicated the Council approved the Linda Beach Conceptual Master Plan in January 2019 after a robust community process. She described features and amenities included in Phase 1 of the project and indicated funding for the project is a constraint.

Public Works Director Daniel Gonzales reviewed the history and focus of the grant program, requirements for projects, and the competitive application process. He noted the existing master plan with its history of community engagement and the area that the park serves will benefit the City in the competitive process. He stated the City will apply for approximately \$4 million in grant funding.

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

Councilmembers commended staff for pursuing the grant program.

Resolution No. 11-2021

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 Statewide Park Development and Community Revitalization Grant Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of the application before submission of said application to the State; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete the Grant Scope project;

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

1. Filing of an application for Statewide Park Development and Community Revitalization Grant Program for Phase One of the Linda Beach Conceptual Master Plan Project is hereby approved.
2. The City of Piedmont certifies that it has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project.
3. The City of Piedmont certifies that if the project is awarded, it has or will have sufficient funds to operate and maintain the project.
4. The City of Piedmont certifies that it has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide.
5. The City Administrator is hereby authorized and directed 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; and
6. The City of Piedmont agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
7. The City of Piedmont will consider promoting inclusion per Public Resources Code §80001(b)(8 A-G).

Moved by Cavenaugh, Seconded by Andersen

Ayes: McCarthy, Andersen, Cavenaugh, Rood, King

Noes: None

Absent: None

Resolution No. 12-2021

WHEREAS, the City of Piedmont intends to file an application for Statewide Park Development and Community Revitalization Grant Program for Phase One of the Linda Beach Conceptual Master Plan Project (the “Project”); and

WHEREAS, a requirement for the grant application is consideration of the Project under the California Environmental Quality Act (CEQA) and filing either a Notice of Exemption or a Notice of Determination under CEQA for the Project; and

WHEREAS, the Project site serves as an existing City park, and the Project would not change the site’s existing park use, nor results in the expansion or intensification of the use; and

WHEREAS, the Project proposes to renovate existing bathrooms, install playground equipment, and install landscaping, and accordingly, there is no cumulative impact and there is no reasonable probability of a significant effect on the environment; and

WHEREAS, there will be a geotechnical report and structural engineers involved in the development of the foundation design of the restroom building, but not for the minimal regrading being undertaken for the play structures and,

accordingly, there is no evidence that there will be a significant effect on the environment; and

WHEREAS, there is no substantial evidence that any exception to the Class 3 Categorical Exemption applies to this Project, specifically including the unusual circumstances exception;

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

1. The City Council finds that the Phase One of the Linda Beach Conceptual Master Plan Project is categorically exempt from CEQA for the following reasons:

- a) Section 15301 of the CEQA guidelines provides for “the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.” Projects eligible for this exemption include “Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety. (14 Cal. Code Regulations § 15301(d).) Because the Project seeks to restore existing deteriorated structures, such as the bathrooms building which is 525 square feet currently and will be 735 square feet as proposed, the Project will not result in the expansion of existing uses, and thus, Project is exempt under this provision.
- b) Section 15303 of the CEQA guidelines provides for a categorical exemption for “construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.” Projects eligible for this exemption include “Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.” (14 Cal. Code Regulations § 15301(e).) The proposed Project park bathroom facility and playground equipment qualify for this exemption, as the park bathroom facility is 735 square feet, and the playground equipment is a recreational structure per the example provided in example (e).
- c) Section 15304 of the CEQA guidelines provides for a categorical exemption for “minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes.” Projects eligible for this exemption include new gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire resistant landscaping. (14 Cal. Code Regulations § 15304(a), (b).) Because the Project proposes to install landscaping for the picnic area, the Project qualifies for the exemption.

Moved by Cavanaugh, Seconded by McCarthy

Ayes: McCarthy, Andersen, Cavanaugh, Rood, King

Noes: None

Absent: None

(0525, 0459)

**Diversity and
Inclusion Activities
Update**

Ms. Lillevand recalled that on August 3, 2020, the Council acknowledged and unequivocally rejected racism in Piedmont and committed to engage in work to identify and eliminate systemic causes of racial disparity. She advised that trainings, programs, and outreach, particularly the use of small focus groups in updating the Strategic Plan, demonstrate the Police Department's priority for community conversations about policing.

Ms. Lillevand reported the City's management team is working with Cornelia Sylvester to understand and own the historical role of racism in Piedmont as well as to construct a framework to review City policies, procedures, values, goals, and missions through an anti-racism lens. She indicated staff will update the history webpage on the City's website to include the treatment of racial minorities in Piedmont and plan a public acknowledgement and apology for the abhorrent treatment of the Dearing family in 1924. Ms. Lillevand relayed that staff will be analyzing recruiting and hiring practices and noted the Housing Element update is an opportunity for the City to move toward a more inclusive community.

Ms. Lillevand added that the management team looks forward to continuing collaborative work with the Piedmont Anti-Racism and Diversity Committee, Piedmont Racial Equity Campaign, Piedmont Asian American Club, Piedmont Unified School District, and all interested community members.

Public Testimony was received from:

Sheila Leunig, Piedmont Anti-Racism and Diversity Committee, appreciated Ms. Lillevand acknowledging that families of color have chosen not to live in Piedmont and the positive update.

Councilmembers believed this work is an opportunity for everyone to learn and improve and to create a better 21st century; noted the Police Department is a role model for anti-racism; and supported staff's Dearing initiative.

(0370)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember McCarthy announced Vice Mayor Rood appears on the cover and is profiled in *Piedmont Living*, and the Piedmont Design Awards will be announced on March 8th. She shared a tribute for Ralston Louie, son of Park Commissioner Robin Wu, who passed away on January 31st.

Councilmember Cavanaugh announced the Recreation Department is hiring, the Piedmont Safer Streets Community Needs Assessment is available, and meetings of the Recreation Commission on February 17th, Piedmont Anti-Racism and Diversity Committee and Piedmont Racial Equity Campaign on February 18th, Students for Solar fundraising event on February 22nd, and Readmont on February 25th. In addition, she related updates from meetings of the League of California Cities and StopWaste.

Mayor King announced COVID-19 vaccination sites at the Coliseum and the Alameda County Fairgrounds and staff's preparation of a newsletter for mailing to residents.

Councilmember Andersen announced the City will award a contract for street tree pruning soon, nominations for the Heritage Tree program are due March 19th, the Police Department's Police Explorer Advisor, Princeton Liu, received the Boy Scouts of America's Distinguished Scouter award, the League

of Women Voters will meet on March 2nd, and nominations for the Art Hecht Award are open.

ADJOURNMENT

There being no further business, Mayor King adjourned the meeting at 7:55 p.m.