

PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Monday, October 18, 2021

Special and Regular Sessions of the Piedmont City Council were held October 18, 2021, via teleconference, consistent with Executive Orders N-25-20 and N-29-20. In accordance with Government Code Section 54957(b), the agenda for this meeting was posted for public inspection on October 14, 2021.

CALL TO ORDER Mayor Teddy Gray King called the meeting to order at 6:02 p.m. with the Pledge of Allegiance.

ROLL CALL Present: Mayor Teddy Gray King, and Councilmembers Jennifer Cavanaugh, Betsy Smegal Andersen, and Conna McCarthy

Absent: Vice Mayor Tim Rood

Staff: City Administrator Sara Lillevand, City Attorney Michelle Marchetta Kenyon, Police Chief Jeremy Bowers, Fire Chief David Brannigan, Public Works Director Daniel Gonzales, Planning & Building Director Kevin Jackson, Recreation Director Chelle Putzer, Finance Director Michael Szczech, Sustainability Program Manager Alyssa Dykman, Senior Planner Pierce Macdonald-Powell, and Assistant City Administrator / City Clerk John Tulloch

CONSENT CALENDAR The Consent Calendar consisted of the following items:

With no objections from Council Members, Mayor King announced Item 3 is removed from the agenda.

Minutes Approval of Meeting Minutes for 10/04/2021

Agreement Regarding 513 Boulevard Way Approval of a Memorandum of Agreement between the City of Piedmont and the City of Oakland Related to 513 Boulevard Way Regarding Jurisdiction for Planning and Building (0045)

COPS Grant and Spending Plan Acceptance of the 2021-22 State of California Citizens Option for Public Safety (COPS) Grant and Approval of Spending Plan (0088, 0785)

Resolution No. 77-2021

RESOLVED, that the City Council approves the consent calendar as noted.
Moved by Cavanaugh, Seconded by Andersen
Ayes: McCarthy, Andersen, Cavanaugh, King
Noes: None
Absent: Rood

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

CEREMONIAL MATTERS Mayor King read the proclamation for Domestic Violence Awareness Month into the record and appreciated the opportunity to help victims of domestic violence.

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

Community Pool Project Architectural Ms. Lillevand reported that following selection of a firm to provide project management and owners representative services, the project team drafted a

**and Engineering
Services Agreement**

Request for Proposals (RFP) to engage a firm to provide architectural and engineering design services. She advised that on July 19, 2021, the Council authorized staff to issue the RFP, and staff did so on July 20th.

Ms. Lillevand indicated that staff determined three of the eight highly qualified firms that submitted proposals were exceptional and invited them to interviews. She announced that the interview panel unanimously selected ELS based on the depth of its team, its long history of designing civic spaces, its thoughtful and robust approach to community engagement, and its commitment to sustainability.

Ms. Lillevand noted that ELS fee of \$2,357,670 covers all services extending from conceptual design through construction administration support. She related that ELS' fees will be paid from the General Fund until Measure UU bonds are sold, at which time the General Fund will be reimbursed for fees expended prior to the sale. A 5% contingency would bring the overall budget for this agreement \$2,475,55.

Public Testimony was received from:

Margaret Ovenden, Garrett Keating, and Hope Salzer appreciated ELS proposal and urged the community engagement regarding the project center around the Climate Action Plan and a balanced approach to amenities.

Councilmembers expressed pleasure with the quality and creativity of the eight proposals and the progress made on the pool project.

Resolution No. 78-2021

RESOLVED, that the City Council approves the proposed agreement with ELS for architectural and engineering design services for the Piedmont Community Pool Project on a time and materials basis and at an amount not to exceed \$2,357,670; approves an overall budget for this agreement of \$2,475,554; and authorizes the City Administrator to spend up to this amount.

Moved by Andersen, Seconded by Cavanaugh

Ayes: McCarthy, Andersen, Cavanaugh, King

Noes: None

Absent: Rood

(0045, 0270-1022)

**Measure A-1 Housing
Bond Extension
Request**

Ms. Lillevand related that staff grappled with an approach to the sixth cycle Housing Element Update and the City's Regional Housing Needs Allocation (RHNA) while simultaneously attempting to figure out use of Measure A-1 funds. She commended planning staff for exploring creative ideas and opportunities and being open to new ideas and thanked the Measure A-1 Subcommittee for diligent and thorough work. She indicated that staff's recommendation supports the Planning Commission's September 13, 2021 recommendation and aligns Measure A-1 and Housing Element Update efforts. She noted that the proposed letter, if approved, will serve as a formal request for an extension of the deadline.

Planning and Building Director Kevin Jackson thanked the Measure A-1 Subcommittee and housing experts for their work and feedback. He related that the Subcommittee diligently explored the most feasible plan to use Measure A-1 funding that needs to be submitted to the County by December 31, 2022. The Subcommittee's recommendation is a sequential approach for use of Measure A-

1 funds, but Planning Commissioners and almost all public testimony agreed that it would be better to abandon the accessory dwelling unit (ADU) loan program and use Measure A-1 funds for a multifamily affordable housing development if the deadline was not December 31, 2022.

He advised that Alameda County Housing and Community Development staff informed City staff that an administrative extension could not be granted, but the City could request an extension from the Board of Supervisors. He reported that if the deadline is extended to December 31, 2023, the City would be in a better position to complete the Housing Element Update, begin General Plan amendments and zoning regulation revisions, identify sites, and procure an affordable housing developer for a site.

Public Testimony was received from:

Claire Parissa, Deborah Leland, Irene Chang on behalf of the Piedmont Racial Equity Campaign, and Tracey Woodruff supported staff's recommendation.

Andy Madeira supported staff's recommendation but indicated that the City did not need to complete the Housing Element Update to proceed with an affordable housing development.

Elise Marie opposed the use of Measure A-1 funds for an ADU program.

Councilmembers noted the importance of public engagement, suggested the letter emphasize the City's development of concrete ideas, and appreciated community members' work and input.

Resolution No. 79-2021

RESOLVED, that the City Council authorizes Mayor King to send a letter requesting an extension of the Measure A-1 bond funding application deadline to December 31, 2023.

Moved by Cavanaugh, Seconded by McCarthy

Ayes: McCarthy, Andersen, Cavanaugh, King

Noes: None

Absent: Rood

(0775)

**Electric Vehicle
Chargers on Magnolia
Avenue**

Ms. Lillevand reported that staff is requesting authorization to proceed with an agreement with East Bay Community Energy (EBCE) to install four electric vehicle (EV) charging stations on Magnolia Avenue. She noted changes to the location of charging stations and the length of time for parking since the prior presentation. She related that staff also seeks Council determination of a CEQA exemption and appropriation of up to \$75,000 from the General Fund to cover costs exceeding the amount EBCE allotted to the project. She indicated that EBCE would submit applications for encroachment and excavation permits for the installation of chargers should the Council approve the agreement and parking restrictions.

Ms. Lillevand explained that if costs exceed EBCE's feasibility threshold, she could appropriate up to \$75,000; however, staff will return to the Council to seek funding if the additional costs are greater than \$75,000. She advised that EBCE could terminate the project at that time if the Council elected not to provide additional funding.

Public Works Director Daniel Gonzales added that following the June 21, 2021 Council meeting, staff collaborated with EBCE to identify the Magnolia Avenue site in response to concerns raised during the Council meeting.

Sustainability Program Manager Alyssa Dykman utilized a presentation to discuss the impetus for the project, charging station location, parking restrictions, parking enforcement, fiscal impact, and the project schedule.

Public Testimony was received from:

Margaret Ovenden supported the new location and the agreement.

Councilmembers thanked EBCE and Councilmember McCarthy for bringing the pilot program forward and believed the project is worthwhile and would benefit the community.

Resolution No. 80-2021

RESOLVED, that the City Council authorizes the City Administrator to sign an agreement with East Bay Community Energy (EBCE) for the installation of four single-port (or two dual-port) fast Electric Vehicle (EV) charging stations on Magnolia Avenue near the Exedra; and

BE IT FURTHER RESOLVED, that the City Council appropriates up to \$75,000 from the General Fund to fund possible costs above EBCE's maximum allocation of \$306,660, and authorizes the City Administrator to execute any documents necessary to effect changes up to this amount; and

BE IT FURTHER RESOLVED, that the City Council authorizes the City Administrator, in consultation with the City Attorney, to make minor changes to the agreement to satisfy the needs of the City; and

BE IT FURTHER RESOLVED, that the City Council approves a 90-minute parking restriction for the five on-street parking spaces served by the EV chargers, which includes one space to account for Americans with Disabilities Act (ADA) requirements; and

BE IT FURTHER RESOLVED, that the City Council determines that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15303, Class 3(d), New Construction or Conversion of Small Structures.

Moved by McCarthy, Seconded by Cavanaugh

Ayes: McCarthy, Andersen, Cavanaugh, King

Noes: None

Absent: Rood

(0045, 0088, 0735)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember Cavanaugh announced a joint meeting of the Park Commission and Recreation Commission on October 20th, a compost giveaway on October 23rd, a Soul Search Treasure Hunt scheduled for October 25th-31st, a Halloween Tot Parade and Carnival on October 31st, and Recreation Department camps scheduled for November 1st-5th.

Councilmember Andersen announced a Community Pool Advisory Committee meeting on October 19th, a League of Women Voters program regarding the Community Pool Project on November 4th, and a Piedmont Equity and Racism Committee meeting on November 9th.

Councilmember McCarthy made several announcements related to housing, first urging community members to watch the video of the September 29th housing workshop and the October 5th League of Women Voters Piedmont discussion of housing issues. She also invited community members to participate in the October 21st virtual community meeting regarding Accessory dwelling units.

Mayor King announced she filmed a United Against Hate video and requested updates regarding public safety and regulations for outdoor burning.

ADJOURNMENT

There being no further business, Mayor King adjourned the meeting at 8:24 p.m.