

PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Tuesday, February 22, 2022

Special and Regular Sessions of the Piedmont City Council were held on February 22, 2022, both in person and via teleconference, in accordance with the provisions of Government Code 54953. In accordance with Government Code Section 54957(b), the agenda for this meeting was posted for public inspection on February 17, 2022.

CALL TO ORDER Mayor Teddy Gray King called the meeting to order at 6:00 p.m. with the Pledge of Allegiance.

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

Staff: City Administrator Sara Lillevand, Deputy City Attorney Deepa Sharma, Police Chief Jeremy Bowers, Fire Chief David Brannigan, Public Works Director Daniel Gonzales, Recreation Director Chelle Putzer, Finance Director Michael Szczech, Fire Captain Justin McNulty, Fire Lieutenant Brian Gidney, Firefighter Matt Ziebarth, Recreation Supervisor Liam Kelly, Recreation Coordinator Ivy Sandoval, Deputy City Clerk Lisa Argue, and Assistant City Administrator / City Clerk John Tulloch

CEREMONIAL MATTER In accordance with the Council's appointment at its Special Meeting on February 7, 2022, the City Clerk administered the oath of office to the newly appointed City Councilmember Jennifer Long. Subsequent to being sworn in, Councilmember Long expressed honor in having been selected and enthusiasm for working together to grow the community, shared her background and volunteer initiatives, thanked her supporters, defined her purpose, and closed by quoting an excerpt from Amanda Gorman, "The Hill We Climb."

CONSENT CALENDAR The Consent Calendar consisted of the following items:

Minutes Approval of Council Meeting Minutes for 02/07/2022

Street Pruning Project WHEREAS, on December 17, 2021, The City of Piedmont advertised the bidding of the FY2021-2022 Street Tree Pruning Project, which were opened in public on January 20, 2022, in conformance with applicable provisions of the California Public Contract Code and the Piedmont City Code; and

WHEREAS, the two lowest bids were examined by staff and the City Attorney's office and found to not be in conformance with the requirements of the bid documents; and

WHEREAS, the remaining two bids far exceeded the engineer's estimate for the completion of this scope of work;

NOW, THEREFORE, BE IT RESOLVED that the City Council rejects all bids for the FY2021- 2022 Street Tree Pruning Project.
(0045)

East Bay Municipal Utility District (EBMUD) Paving Cost Sharing WHEREAS, the City of Piedmont issued Excavation Permits EX21-00082 and EX21- 00117 to East Bay Municipal Utility District (EBMUD) for replacement of water mains in Manor Drive and portions of Wildwood Avenue and Sylvan Way of the City (hereinafter referred to as "Project"); and

WHEREAS, whereas the Excavation Permits specified paving limits on the various impacted streets associated with EBMUD's project; and

WHEREAS, the City determined that it would be in the best interest of the City and the residents living within the impacted streets to include additional paving such that all streets were treated to their entire widths; and

WHEREAS, EBMUD will be financially responsible for all paving associated with the excavation permits; however, the City will be including the overall street paving within the City's annual pavement rehabilitation project, necessitating the need for a reimbursement agreements for EBMUD to reimburse the City for their portion of the paving work; and

WHEREAS, EMBUD has provided agreements to the City to clarify the financial responsibility of the EBMUD for the work; and

WHEREAS, the agreements have been reviewed by both Staff and the City Attorney's office and has been found to be accurate and acceptable.

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 above recitals are true and correct and are hereby incorporated into this Resolution as findings of the City Council of the City of Piedmont.
2. The City Administrator is hereby authorized and directed to execute the agreements with EBMUD for EBMUD's reimbursement to the City for their portion of the paving work as required by the City associated with Excavation Permits EX21-00082 and EX21-00117.
3. 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.
(0045)

**Council Liaison
Assignments**

Approval of Council Liaison Assignments for February 22, 2022 through
December 31, 2022
(0085)

Resolution No. 11-22

RESOLVED, that the City Council approves the Resolution.
Moved by McCarthy, Seconded by Andersen
Ayes: Andersen, Cavanaugh, King, Long, McCarthy
Noes: None
Abstain: Long from the 02/07/2022 Council Meeting Minutes
Absent: None

PUBLIC FORUM

There was no **Public Testimony**.

CEREMONIAL ITEMS

Recreation Director Chelle Putzer introduced newly hired Recreation Supervisor Liam Kelly and Recreation Coordinator Ivy Sandoval. Fire Chief Dave Brannigan introduced newly hired firefighter Matt Ziebarth as well as newly promoted Fire Captain Justin McNulty and Fire Lieutenant Brian Gidney.

Mayor King proclaimed the month of February as Black History Month in the City of Piedmont.

REGULAR AGENDA

The Council considered the following items of regular business:

**Diversity, Equity, and
Inclusion Efforts**

City Administrator Sara Lillevand provided an update on the City's diversity, equity, and inclusion efforts, as directed by the City Council. She indicated that the City has been working to increase equity and reduce bias by way of community conversations related to policing in Piedmont, examining and owning City history, and reviewing City policies, ordinances, procedures, values, goals, and missions through an anti-racism lens.

Ms. Lillevand detailed the trainings and community outreach conducted by the Piedmont Police Department (PPD) and the Public Safety Committee to discuss public safety cameras, and the PPD three-year strategic plan. She noted that Police Chief Jeremy Bowers participated in a panel discussion hosted by the Piedmont Anti-Racism and Diversity Committee (PADC), Piedmont Racial Equity Campaign (PREC), and the League of Women Voters of Piedmont. She reported on the analysis being conducted by the University of Texas San Antonio to understand potential bias during police service calls.

Ms. Lillevand also reported on the work done by staff to examine and own City history through work with Cornelia Sylvester of Bay Area Coaching as well as development and delivery of antiracism and equity training to PPD personnel. She indicated that staff is working toward a public acknowledgement of and apology for the City's role in the treatment of Sidney Dearing and his family in 1924.

Ms. Lillevand also indicated that a panel discussion will be held in April on the topic of real estate best practices to support inclusion in collaboration with Carol Galante, Piedmont resident and Faculty Director at the Turner Center for Housing Innovation at UC Berkeley.

Lastly, Ms. Lillevand reported on the review process of City policies, ordinances, procedures, values, goals, and missions through an anti-racism lens to identify how and where racism may be present in city systems, as well as hiring and workplace practices. She indicated an ongoing focus and opportunities for change, disclosed anti-racism training for members of the City Council, and affirmed the City's commitment to creating a more welcoming and inclusive Piedmont in the 6th cycle Housing Element.

There was no **Public Testimony**.

**2021 Year End Police
Department Report**

Police Chief Jeremy Bowers presented an overview of the PPD efforts in alignment with its public safety mission and summarized the 2019 – 2021 criminal offenses based on Uniform Crime Report data submitted to the FBI including Part One reportable crimes comparisons, Automatic License Plate Readers (ALPR) processing and incidents, arrest counts, traffic summary, PPD training, calls for service and use of force, major projects, and questions.

The Council thanked Police Chief Bowers for the presentation and asked questions regarding utilizing PPD resources for sexual assault awareness and prevention in the school system, public education and outreach related to driving speed, low-cost engineering solutions to reduce driving speed and improve traffic safety, legislation for tracking safety measures, use of force, ALPR location, community services in the PPD lobby, community center space for cool and clean air for public access during fire season, flavored tobacco products, traffic safety mapping, tracking and prioritization, de-escalation tools, and larceny theft prevention tips and PPD mitigation measures.

There was no **Public Testimony**.
(0785)

**Employment
Resolutions for
Management
Employees**

Ms. Lillevand indicated that one of the final pieces of 2021-2025 labor negotiations was the approval of an employment resolution for management employees, which include the positions of Assistant City Administrator/City Clerk, Finance Director, Fire Chief, Planning & Building Director, Police Chief, Public Works Director, and Recreation Director.

She noted that the key provisions for the management employee employment resolution before the Council match past approved labor agreements for other groups and include a four-year term from July 1, 2021 – June 30, 2025, salary increases of 3 percent each of the first two years and 3.25 percent in years three and four, a cap on employee contributions to CalPERS and modest increase to the City's healthcare contribution. She indicated that the Police Chief, Public Works Director, Planning & Building Director, and Assistant City Administrator/City Clerk are slated to receive equity adjustments to reflect the City's practice of staying within 3 percent of median comparator salary.

Pursuant to requirements of state law, Ms. Lillevand gave an oral report of the compensation, retirement contributions, and benefits for management employees. Chief Brannigan.

Councilmember Andersen, noting the conclusion of labor negotiations for this period commended the negotiators as well as employee groups for entering into four-year agreements.

There was no **Public Testimony**.

Resolution No. 12-2022

RESOLVED, that the City Council approves the compensation and benefits resolution on file in the City Clerk's Office between the City of Piedmont and Management Employees effective July 1, 2021 through June 30, 2025:

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, King, Long, McCarthy

Noes: None

Absent: None

(0045)

**REPORTS AND
ANNOUNCEMENTS**

Vice Mayor Cavanaugh announced several Recreation Department programs, the success of several Piedmont High School sports teams in the North Coast Section Championships, upcoming Park Commission meetings and events, as well as the upcoming Piedmont Food Fest and Piedmont Art Walk. She suggested an update from the East Bay Municipal Utility District as a future agenda item.

Councilmember Andersen announced the start dates of the Recreation Department's winter/spring recreation sessions two and three, the issuance of the Summer 2022 Recreation Activity Guide, and registration dates for summer programs.

Councilmember McCarthy announced a change in public counter service hours at the Planning & Building and Public Works Departments effective February 28. She noted an upcoming special Planning Commission meeting to discuss the community pool design as well as housing policy development updates. She announced upcoming meetings and workshops regarding housing. Councilmember McCarthy also acknowledged Officer Tyler Petit for the assistance he provided for Anne Rutledge before her passing.

Mayor King recognized the progress the City of Piedmont has made to resume normal operations, announced that she would give a State of the City address in April, noted the upcoming Alameda Conference of Mayors joint meeting with Alameda County Board of Supervisors to discuss the homelessness crisis, and extended congratulations to Kieran Craigie who was recently sworn in as a member of the United States Secret Service.

ADJOURNMENT

There being no further business, Mayor King adjourned the meeting at 8:12 p.m.