

**DRAFT**

**PIEDMONT CITY COUNCIL**

Special and Regular Meeting Minutes for Monday, May 2, 2022

Special and Regular Sessions of the Piedmont City Council were held on May 2, 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 April 28, 2022.

**CALL TO ORDER**

Mayor Teddy Gray King called the meeting to order at 6:04 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, Public Works Director Daniel Gonzales, Recreation Director Chelle Putzer, Sustainability Program Manager Alyssa Dykman, Finance Director Michael Szczech, Civic Spark Fellow Annie Wensley, Deputy City Clerk Lisa Argue, and Assistant City Administrator / City Clerk John Tulloch

**CONSENT CALENDAR**

The Consent Calendar consisted of the following items:

At the request of City Administrator Sara Lillevand, the award of the Fiscal Year 2021-2022 Street Tree Pruning Contract was removed from consideration at this meeting.

**Meeting Minutes**

Approval of Meeting Minutes for 03/28/2022, 04/04/2022, and 04/18/2022

**Resolution for  
Teleconference  
Meetings**

WHEREAS, on October 4, 2021, pursuant to the requirements of Government Code Section 54953(e)(1)(B), the City Council passed Resolution 77-2021, which made the required findings to authorize the use of streamlined notice requirements for teleconference meetings for the City Council and all Commissions, Committees, or advisory bodies of the City of Piedmont; and

WHEREAS, the gubernatorial declaration of a State of Emergency regarding the COVID-19 pandemic remains in place, and COVID-19 continues to threaten the health and lives of Piedmont residents and there is scientific consensus that variants of COVID-19 are highly transmissible in indoor settings; and

WHEREAS, AB 361 requires that every thirty (30) days, the City to reconsider the circumstances of the emergency and review whether it continues to directly impact the ability of the members to meet safely in person, and the circumstances described in Resolution 77-2021 continue to persist;

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 material to this Resolution and are incorporated into this Resolution as findings of the City Council.

SECTION 2. The City Council desires to continue to meet by teleconference in accordance with Government Code Section 54953(e).

SECTION 3. The City Council has reconsidered the findings made in Resolution 77-2021, and finds that:

- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.

SECTION 4. The City Council reconfirms and incorporates the findings made in Resolution 77-2021 regarding the need for the Council and all Commissions, Committees, or advisory bodies of the City of Piedmont to meet by teleconference.

(0440)

There was no **Public Testimony**.

**Resolution No. 28-2022**

RESOLVED, that the City Council approves Consent Calendar as noted above.

Moved by McCarthy, Seconded by Cavanaugh

Ayes: Andersen, Cavanaugh, King, Long, McCarthy

Noes: None

Absent: None

**Donation & Naming  
Policy**

Councilmember Andersen extended thanks for past and future community generosity.

(0795)

**Resolution No. 29-2022**

RESOLVED, that the City Council approves the Donation & Naming Policy.

Moved by Andersen, Seconded by Long

Ayes: Andersen, Cavanaugh, King, Long, McCarthy

Noes: None

Absent: None

**PUBLIC FORUM**

**Public Testimony** was received from:

Lyman Shaffer and Mary Wells expressed concerns for the safety and aesthetics at the intersection of Nova Drive and Magnolia Avenue and asked the City Council to provide direction to City staff to address the problem.

**CEREMONIAL MATTERS**

Police Chief Jeremy Bowers presented two Lifesaving Awards to Officer Jason Germano, who thanked the City for the award.

**REGULAR AGENDA**

The Council considered the following items of regular business:

**Pool Design  
Modifications and  
Actions**

City Administrator Lillevand presented the Piedmont Community Pool Design Development package, associated cost estimates of an additional \$270,000, and proposed expansions to the shallow water activity pool and requested authorization from the City Council for staff to proceed from the design development to construction document phase of the project. She reviewed the

project development leading to this action. Project Architect Clarence Mamuyac shared design development drawings and Operational Analysis Consultant Stuart Isaac discussed the implications to programming from the recommended designs and, together, addressed questions from City Council regarding pool depths, safety features, cost recovery, water and space allocation, future additions, programming opportunities, and adding a toe ledge and bench.

Steve Roland shared the Pool Advisory Committee (PAC) focus of pool compatibility for everyone and supported the current plan.

**Public Testimony** was received from:

Lynne Wright, Chris Hart, John Sakol, Josh Bernstein, John Savage, and Paul Jahn expressed excitement and thanks for the Piedmont Community pool design and the effort by staff and recommended a competition pool designed to regulation water polo standards with considerations for pool depth and programming.

The City Council thanked each of the community members who have contributed to the process of creating the Piedmont Community pool design.

**Resolution No. 30-2022**

RESOLVED, that the City Council takes the following actions regarding the Piedmont Community Pool Project:

1. Approves design modifications to the shallow water recreation pool as recommended by the Community Pool Advisory Committee (PAC):
  - a) Lap Lanes: increased length of the three lap lanes from 20 to 25 yards with a depth profile that moves side to side from approximately 3.5 feet in the middle of the pool to approximately 5 feet at the western edge of the pool
  - b) Rotate the stairs 90 degrees such that the stairs enter the open free water area rather than the rectangular lap lane area
2. Approves expansion of the zero-beach entry area in the recreation pool by approximately 300 square feet
3. Authorizes staff and ELS to advance the project to the Construction Documents Phase

Moved by Andersen, Seconded by Cavanaugh  
Ayes: Andersen, Cavanaugh, King, Long, McCarthy  
Noes: None  
Absent: None  
(0270-1022)

**Reach Codes  
Implementation  
Update**

Sustainability Program Manager Alyssa Dykman and Civic Spark Fellow Annie Wensley presented a report on the implementation of the Piedmont's Reach Codes and Home Energy Assessment ordinances that included actions to reduce natural gas use and increase the use of renewable systems. Ms. Dykman and Ms. Wensley provided an overview of Reach Codes, the impetus for adopting Reach Codes, the timeline and development process for Piedmont's current Reach Codes related to new construction, roof expansion, and renovation projects and exemptions. She further provided information on the home energy assessments required by the ordinances, relayed energy efficiency measures, including post-adoption efforts including monitoring and evaluation priorities, energy efficient measures selections, Home Energy Score

reports, and common recommended improvements. In closing, Ms. Dykman reviewed the 2022 Energy Code and future considerations, staff's preliminary ideas for 2022, and next steps.

Councilmembers discussed different methods to support the intent of the reach codes, including opportunities to support low-income households, resource support and education to the community, as well as the possibility of a survey to assess energy choices.

There was no **Public Testimony**.  
(0459)

**1<sup>st</sup> Reading of  
Ordinance 764 N.S. –  
Adoption of Military  
Equipment Use  
Policy**

Police Chief Bowers provided an overview of Assembly Bill (AB) 481, which requires local governments to pass a policy regarding police use of military equipment. He relayed the commitment of the Piedmont Police Department (PPD) to utilize current and progressive equipment, safeguard the community, and de-escalate volatile situations. He provided information on the two devices used by the PPD that are included in the policy and proposed two revisions to the policy, which are included in the draft before the Council this evening.

Mayor King opened the public hearing.

There was no **Public Testimony**.

Mayor King closed the public hearing.

**Resolution No. 31-2022**

RESOLVED, that the City Council approves the 1<sup>st</sup> Reading of Ordinance 764 N. S. – Adopting a Military Equipment Use Policy.

Moved by McCarthy, Seconded by Long

Ayes: Andersen, Cavanaugh, King, Long, McCarthy

Noes: None

Absent: None

(0705)

**Additional  
Appropriation for  
Sidewalk Work**

Public Works Director Daniel Gonzales indicated that the Public Works Department has nearly expended all of the funds appropriated in the current fiscal year for sidewalk repair. He explained that much of sidewalk repair work is complaint based, with the majority being related to City owned trees.

Finance Director Michael Szczech detailed budgets and fund categories and escalating sidewalk repair costs.

There was no **Public Testimony**.

**Resolution No. 32-2022**

RESOLVED, that the City Council approves an appropriation of \$300,000 in additional funds for sidewalk repair and replacement for Fiscal Year 2021-2022 from the General Fund to the Facilities Maintenance Fund.

Moved by McCarthy, Seconded by Cavanaugh

Ayes: Andersen, Cavanaugh, King, Long, McCarthy

Noes: None

Absent: None

(0088)

**REPORTS AND  
ANNOUNCEMENTS**

Vice Mayor Cavanaugh acknowledged the success of the Piedmont Food Fest and announced the upcoming 3<sup>rd</sup> Annual Art Walk.

Councilmember Andersen announced the upcoming Recreation Department events, including Play Like a Girl +. She also noted the League of Women Voters annual meeting on May 5 and Spring Fling.

Councilmember McCarthy congratulated the Park Commission and Public Works Department for the City's annual Arbor Day Celebrations. She announced the start of Asian Pacific American Heritage Month.

Councilmember Long encouraged the community to review the draft of the City's 6<sup>th</sup> cycle Housing Element and announced an upcoming Planning Commission meeting.

Mayor King congratulated the Piedmont Mom's Ladies Tennis Team for winning their regular season and the Northern California Divisional Championship in Ladies 40+ for the United States Tennis Association during their inaugural year.

**ADJOURNMENT**

There being no further business, Mayor King adjourned the meeting at 10:12 p.m.