

**PIEDMONT CITY COUNCIL**

Special and Regular Meeting Minutes for Monday, August 1, 2022

Special and Regular Sessions of the Piedmont City Council were held on August 1, 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 July 28, 2022.

**CALL TO ORDER**

Mayor 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

Absent: None

Staff: City Administrator Sara Lillevand, City Attorney Michelle Marchetta Kenyon, Public Works Director Daniel Gonzales, Planning & Building Director Kevin Jackson, Finance Director Michael Szczech, Senior Planner Pierce Macdonald, Deputy City Clerk Lisa Argue, and Assistant City Administrator / City Clerk John Tulloch

**CONSENT CALENDAR**

The Consent Calendar consisted of the following items:

**Minutes**

Approval of Council Meeting Minutes for 07/18/2022

**Approval of Administrative Services Technician I Salary**

WHEREAS, the classification for the Administrative Services Technician I/II was updated by the City Council in 2014; and

WHEREAS, at that time, a salary range was only created for the Administrative Services Technician II classification, as at that time, only employees in that range were employed by the City; and

WHEREAS, the only remaining employee in that classification will retire in 2022 and the City is currently recruiting to fill the position; and

WHEREAS, in order to provide flexibility when hiring for this position, the City desires to set a salary range for the Administrative Services Technician I classification;

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

The following salary ranges are added to the appropriate charts in Appendix A of Resolution 97A-2021, in a format consistent with the existing data:

Effective Date:	Step 1 0-6 Mo	Step 2 7-18 Mo	Step 3 19-30 Mo	Step 4 31-42 Mo	Step 5 43 mo +
7/1/2022	6,411	6,732	7,068	7,421	7,789
7/1/2023	6,619	6,951	7,298	7,662	8,042
7/1/2024	6,834	7,177	7,535	7,911	8,303

(0750)

**Approval of SB 1  
Road Maintenance  
Project for FY 2022-23**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated \$250,000 in RMRA funding in Fiscal Year 2022-23 from SB 1; and

WHEREAS, this is the 6th year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

Whereas, the funding from SB 1 will help the City maintain and rehabilitate eight streets/roads, and add active transportation infrastructure throughout the City this year and dozens of similar projects into the future; and

WHEREAS, the 2020 California Statewide Local Streets and Roads Needs Assessment found that the City streets and roads are in "good" condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a "good" to "very good" condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of the City of Piedmont, State of California, as follows:

1. The foregoing recitals are true and correct.
  2. The list of newly proposed projects will be funded in-part or solely with Fiscal Year 2022-23 Road Maintenance and Rehabilitation Account revenues.
- (1000)

**Approval of Replacement Backhoe** Approval of the Purchase of a Replacement Backhoe for the Public Works Department in the Amount of \$154,787.07 (0045)

These was no **Public Testimony** on these items.

**Resolution No. 52-2022**

RESOLVED, that the City Council approves the Consent Calendar.  
Moved by McCarthy, Seconded by Cavanaugh  
Ayes: Andersen, Cavanaugh, King, Long, McCarthy  
Noes: None  
Absent: None

**PUBLIC FORUM**

**Public Testimony** was received from:

N. Sunny Bostrom-Fleming stressed the importance of prioritizing public safety given violence involving young children and the impact to families.

**REGULAR AGENDA**

The Council considered the following items of regular business:

**Draft 6<sup>th</sup> Cycle Housing Element**

City Administrator Sara Lillevand introduced the Draft 6<sup>th</sup> Cycle Housing Element (HE) that spans from 2023-2031. She described it as a planning document that requires updating and certification every eight years and includes safe, accessible, and diverse future housing to offer a mix of housing opportunities for various income levels, create possibilities, policies, and solutions.

Ms. Lillevand relayed that the housing unit number is determined in the Regional Housing Needs Allocation (RHNA) process, and that while past housing cycles included less than 100 housing units, 587 housing units have been allocated to Piedmont in the 6<sup>th</sup> Cycle and that the City is required to plan for the development of new and innovative housing programs to accommodate the State mandate. She presented information on the regional affordable housing crisis and income affordability for City and Piedmont Unified School District (PUSD) employees and found that 80 percent were in the lower income category.

Ms. Lillevand noted the underlying constraint for lower income housing site inventory as a half-acre or greater parcel restriction for the 257 lower income assigned units. Following direction from the Council at its June 20<sup>th</sup> meeting, staff has returned with information pertaining to the feasibility of civic center sites, regulations related to development on City-owned land, potential alternatives to civic-center city-owned sites, and plans for Moraga Canyon.

Ashleigh Kanat, Principal at Economic & Planning Systems (EPS), presented a feasibility study on the civic center City-owned sites, site location and development context, affordable housing development costs, gaps in affordable housing funding, and options to improve feasibility. She explained that the 1.14-acre analysis area included 120 Vista Avenue and 801 Magnolia Avenue and offered an opportunity to reconfigure the space for civic and housing needs due to their adjacent location, flexible zoning regulations, and tax credit eligibility. Furthermore, she indicated that the cost to develop affordable housing is estimated at \$814,000 per unit and provided a cost per unit breakdown and a funding gap by income category. In conclusion, Ms. Kanat stated that the findings of the analysis suggested that affordable housing in the civic center can be feasible, particularly with a half-acre or greater parcel.

Lisa Wise from Lisa Wise Consulting (LWC) shared the State mandated sliding scale Density Bonus and four exemptions and noted how development agreement partnerships work between the City and builder on City-owned land.

Planning and Building Director Kevin Jackson presented the 2022 Alameda County area median and annual income limits by household size, a housing unit breakdown by low- and moderate-income categories, potential alternate location areas for lower income units in Zone D along Grand Avenue, required analysis, considerations for Zone C, and Zone D standards. Mr. Jackson noted that while Density Bonus housing units and Accessory Dwelling Units (ADUs) cannot be included in the Draft 6<sup>th</sup> Cycle HE, they can be counted to satisfy RHNA housing requirements during required Annual Progress Reports. Furthermore, he discussed a specific plan for the Moraga Canyon area, goals, and reasons for using a specific plan. City Attorney Michelle Marchetta Kenyon added the benefit of a specific plan for the protection of future property sales or partnerships, advanced identification of issues, and local influence to help shape an emerging neighborhood.

Ms. Wise, Kathryn Slama, and Dave Bergman reviewed the guidelines for a site inventory analysis for nonvacant sites required by the California Department of Housing and Community Development (HCD).

Ms. Kenyon advised the Council that the Draft 6<sup>th</sup> Cycle HE submitted to HCD must be something that the Council is willing to adopt and advised against submitting a Draft HE that is subject to site inventory revisions. Ms. Lillevand recommended thoughtful and quick forward movement with consideration for the timelines.

Ms. Lillevand provided a detailed summary of items that Staff need Council direction on in order to make forward progress on the Draft 6<sup>th</sup> Cycle HE:

- 1- Expand the Moraga Canyon Specific Plan area to include all City-owned property along Moraga Avenue including Blair Park and initiate the planning process before the end of 2022.
- 2- Conduct analysis required to redistribute 74 lower income units from the civic center to 1221 and 1337 Grand Avenue.
- 3- Conduct analysis to redistribute 18 moderate income housing units from the civic center to parcels in Zones C & D.
- 4- Conduct analysis to relocate above moderate-income units from 1221 and 1337 Grand Avenue as needed to keep building height at or below five stories.
- 5- Maximize the total and lower income ADU count.

**Public Testimony** was received from:

Eric Sullivan, Michael Gardner, Meghan Bennett, Dave DeRoche, Don Chandler, Mike McConathy, Marcia Lane, Deborah Leland, Reid Settlemier, Daniel Luskin, Nicholas Stamatacis, Liz Lummis Oneil, Sunny Bostrom-Fleming, Bridget Harris, Ben Mand, Moira Chapman, Frances Fisher, Joshua Safran, League of Women Voters of Piedmont – Lorrel Plimier, Andy Madiera Rod Boothby, Ron Heckman, Dai Meagher, Kristen Harknett, Tracey Woodruff, Hugh Louch, Hope Salzer, Xavier Woodruff-Madiera, Georgina Russell, Alice Talcott, Audrey Wagman, Jill Lindenbaum, Elise Collins, and Sunil Saha.

Speakers spoke in opposition to the draft housing element, noting potential impacts to the community, including parking, public transportation, traffic, walkability, and pedestrian safety. Speakers also suggested that the draft housing element be put before the residents for a vote. Speakers also indicated opposition to increased density in the city center. Questions were raised about the process undertaken by the state to reach the number of units assigned to Piedmont, the consequences for not following the state mandate, as well as the City's process of deliberation on the Housing Element thus far.

Speakers in support of the draft housing element urged the Council to help Piedmont do its part to create housing in the region and state. They indicated their support for affordable, fair, sustainable, multi-family housing development in all parts of Piedmont including the civic center. Speakers also indicated support for furthering diversity, equity, and inclusion in Piedmont's housing policy.

Ms. Kenyon provided clarification on the requirements of 9.02 of the City Charter as well as state law regarding park preservation.

The Council deliberated at length on State penalties, litigation costs, the option to challenge the 587-housing count, housing unit counts included in the Draft 6<sup>th</sup> Cycle HE in the civic center area, housing development sequencing, a civic center master plan, improvements to core City buildings, housing unit counts on Grand Avenue, civic improvement costs offset by a low-income housing developer, community development implementation, and smaller scale housing along with the civic center master planning.

After extensive deliberation, Council directed staff as follows:

1. Expand the Moraga Canyon Specific Plan area to include all City-owned property along Moraga Avenue including Blair Park and initiate the planning process before the end of 2022
2. Conduct analysis required to redistribute 74 lower-income units from the Civic Center to 1221 and 1337 Grand Avenue
3. Conduct analysis to redistribute 18 moderate income units from the Civic Center to parcels in zones C, D and/or 801 Magnolia Ave
4. Conduct analysis to relocate above-moderate income units from 1221 and 1337 Grand Avenue as needed to keep building height at or below 5 stories.
5. Maximize total and lower income ADU count

(0515)

## REPORTS AND ANNOUNCEMENTS

Councilmember Long reminded the community to visit <https://piedmontishome.org> to get information and provide feedback on the Housing Element process.

Councilmember McCarthy attended the League of California Cities meeting in Piedmont and announced having networked with Councilmembers within the region about housing development.

Councilmember Andersen announced the start of school on August 10, fall registration dates for the Piedmont Recreation Department programming, and the Corey Reich Tennis Center lighting project progress.

Mayor King asked staff to provide an update on ways to increase capacity in the Schoolmates program.

**ADJOURNMENT**

There being no further business, Mayor King adjourned the meeting at 11:21 p.m.