

## PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Tuesday, January 17, 2023

Special and Regular Sessions of the Piedmont City Council were held on January 17, 2023, 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 January 12, 2023.

**CALL TO ORDER** Mayor Cavanaugh called the meeting to order at 6:01 p.m. with the Pledge of Allegiance.

**ROLL CALL** Present: Mayor Jennifer Cavanaugh, Vice Mayor Betsy Smegal Andersen and Councilmembers Jennifer Long, Conna McCarthy, and Tom Ramsey

Staff: City Administrator Sara Lillevand, Assistant City Attorney Deepa Sharma, Police Chief Jeremy Bowers, Fire Chief Dave Brannigan, Public Works Director Daniel Gonzales, Planning and Building Director Kevin Jackson, Recreation Director Chelle Putzer, 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 12/05/2022

**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)

**Service Employees  
International Local  
1021**

Approval of a Side Letter to the Memorandum of Understanding Between the City and Service Employees International Local 1021 – Public Works Unit  
(0045)

**City Council Meeting  
Start Time Change**

Consideration of a Change to the Start Time of Regular City Council Meetings  
(0795)

There was no **Public Testimony** received.

**Resolution No. 02-2023**

RESOLVED, that the City Council approves Items 1,2,3, and 7 of the Consent Calendar as noted.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

Recused: None

**Council Liaison  
Assignments**

Mayor Cavanaugh announced that the Mayor is required to serve on the Police and Fire Pension Board, so she placed herself as member number one and kept Councilmember Long as member number two from January 17, 2023 through December 31, 2023.

(0085)

There was no **Public Testimony** received.

**Resolution No. 03-2023**

RESOLVED, that the City Council approves City Council liaison assignments for the period of January 17, 2023 - December 31, 2023 as amended.

Moved by Long, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

Recused: None

**FY 2022-2023 Street  
Tree Pruning  
Contract**

In response to Council questions, Public Works Director Daniel Gonzales relayed the process for section of trees for the annual trimming project as well as the public notification which will be undertaken prior to trimming.

(0045)

There was no **Public Testimony** received.

**Resolution No. 04-2023**

RESOLVED, that the City Council awards the contract for the FY2022-2023 Street Tree Pruning Project to The Professional Tree Care Co. in the amount of \$151,320, approves the overall project budget of \$166,452, and determines that the project is exempt from the requirements of the California Environmental Quality Act.

Moved by Andersen, Seconded by Ramsey

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey  
Noes: None

**FY 2022-2023 Annual  
Sidewalk Repair  
Program**

Mr. Gonzales relayed the public notification approach to tree pruning and noted the use and notice for no parking barricades, the process for unanticipated tree removals and sidewalk implications, a first come first serve approach, optimism for an additional round to address the backlog, and how the work list is created. (0045)

There was no **Public Testimony** received.

**Resolution No. 05-2023**

RESOLVED, that the City Council awards the contract for the 2022-2023 Annual Sidewalk Repair Program to Rosas Brothers Construction in the amount of \$185,060, approves the overall construction budget of \$234,866, and determines that the project is exempt from the requirements of the California Environmental Quality Act.

Moved by Andersen, Seconded by Long

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

Recused: None

**PUBLIC FORUM**

Dimitri Magganas reminded the Council to consider high vertical construction costs, interest rates, and inflation and thought that the success of the City's future is determined by the current approach.

**REGULAR AGENDA**

The Council considered the following items of regular business:

**Piedmont Community  
Pool Fundraising  
Updates and Naming  
Agreement  
Authorization**

City Administrator Sara Lillevand summarized the Piedmont Community Pool Fundraising partnership with the Piedmont Recreational Facilities Organization (PRFO), thanked the community for \$1.2 million dollars in cash and pledge contributions thus far and announced a \$500,000 matching challenge. She noted four areas considered for naming within the Piedmont Community Pool and asked the Council to authorize staff to develop naming agreements for donations of \$250,000 or more. Ms. Lillevand indicated that a broad community outreach will take place in the coming weeks for lower donation amounts and described varied agreement types based on the donor level and annual sponsorships.

**Public Testimony** was received from:

Eric Havian of PRFO invited community members to visit [www.prfo.org](http://www.prfo.org) to make donations to the project. He acknowledged an initial focus on large donations, but stated that donations of any amount are crucial to the project.

The Council extended a big thank you to everyone involved in the project.

**Resolution No. 06-2023**

RESOLVED, that the City Council authorizes staff and the City Attorney's office to work with the Piedmont Recreational Facilities Organization to develop naming agreements for donations to the Piedmont Community Pool Project of \$250,000 or more.

Moved by Andersen, Seconded by Long

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

(0270-1022)

**6<sup>th</sup> Cycle (2023-2031)  
Housing Element  
Process Update**

Planning and Building Director Kevin Jackson provided an update on the status of the 6<sup>th</sup> Cycle (2023-2031) Housing Element process. He provided information on the draft submittal timeline and meetings to review the City's submittal between the California Department of Housing and Community Development (HCD), City staff, and Lisa Wise Consulting team in December 2022 and January 2023.

Mr. Jackson provided details on the state's review of the City's draft Housing Element. He noted that the Planning Commission met on January 12<sup>th</sup> and unanimously recommended that the Council approve the draft 6<sup>th</sup> Cycle Housing Element. He also noted that upon receipt of comments from the State, staff will respond appropriately so that the City Council can move forward with adoption in a timely manner consistent with State law.

At the request of Council, Mr. Jackson explained the initial study negative declaration, what other jurisdictions are doing with the Housing Element, feedback from the HCD reviewer during the City tour, and the logic for adopting the Housing Element before receiving the letter of substantial compliance from HCD.

There was no **Public Testimony** received on this matter.

The Council expressed appreciation to staff for their work on the Housing Element.  
(0515)

**Moraga Canyon  
Specific Plan RFP  
Issuance**

Ms. Lillevand recommended that the Council issue a request for proposals (RFP) for the Moraga Canyon Specific Plan. She indicated that the plan will be a key policy and program in the 6<sup>th</sup> Cycle Draft Housing Element. She indicated that the 18 acres included in the scope of the plan offer a real opportunity to develop affordable housing and improve City amenities, and that the first step is to hire consultants to lead the community through the process.

Mr. Jackson explained the impetus, reason, and uses of a specific plan and its focus on implementation and RFP timelines and adjustments. He provided details on the RFP. He indicated that the RFP sets goals for the Specific Plan that include housing unit construction, safety concerns for fire protection, evacuation routes, emergency response, and pedestrian and vehicular movement, public works and recreational facilities, parking, landscaping, open space, and public utilities. Furthermore, he noted that the RFP includes a robust public engagement program, early identification of a site for development of at least one affordable housing project that qualifies for Piedmont's allocation of \$2.2 million from the Alameda County Measure A-1 low interest loan program, and a one-time and ongoing fiscal analysis of potential revenues and expenses related to the development.

In response to questions by members of Council, Mr. Jackson explained the community engagement process and timing and the services and scope of work in the RFP and discussed RFP funding sources, environmental impacts, and neighborhoods for outreach.

**Public Testimony** was received from:

Don Chandler suggested adding the police and fire department building in the RFP scope of work item list.

Carol Galante, Claire Parisa, and Irene Cheng recommended prioritizing affordable housing sites, considering the economic feasibility, and a holding a charrette to gain public input. Speakers also commended staff and the City Council for their hard work.

The Council deliberated on affordable housing and essential services locations and master planning. Mayor Cavanaugh thanked staff for their work.

**Resolution No. 07-2023**

RESOLVED, that the City Council authorizes the issuance of a Request for Proposals for the Moraga Canyon Specific Plan.

Moved by Long, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

(0045)

**Piedmont  
Community Pool  
Project Parking and  
Traffic Changes**

Ms. Lillevand indicated that the construction of the Piedmont Community Pool would necessitate changes to parking and traffic flow in the Civic Center Area for the duration of the project. She indicated the affected parking areas and two possible locations for reclaiming parking spaces in the Civic Center, which will be lost during the project.

Mr. Gonzales described a team effort by staff to identify and review existing parking and traffic flow, patterns, and needs. He referred to Attachment B in the staff report to illustrate the proposed temporary parking locations to be gained, redesignated, and eliminated. He noted conversations with the community regarding new parking opportunities, challenges, enhancing safety, maintaining access, and balancing needs between the school, City, and residents.

**Public Testimony** was received from:

Chad Olcott relayed the parking challenges in operating Mulberry's Market and thanked the Council for its work to preserve civic center parking.

Marcia Lane expressed concerns regarding the proposed conversion of Bonita Avenue between Vista and Oakland Avenues to a one -way street as well as a lack of community notification.

The Council deliberated at length on the impact to businesses with parking changes, alternatives, and public communication. The Council discussed the safety of students going to and from school and the need to work with the School District to communicate the changes which are implemented.

Councilmember McCarthy suggested removing the section of Bonita Avenue between Vista and Oakland Avenues from the proposal to allow for additional community discussion. Vice Mayor Andersen suggested that City "all-day" parking spots be on Highland Avenue and Permit A spots be on the far end of the Community Hall lot. The Council concurred with these suggestions.

**Resolution No. 08-2023**

WHEREAS, on December 5, 2022, the City Council awarded a contract for the construction of the Piedmont Community Pool Project; and

WHEREAS, the construction of this project necessitates use of the public right of way to facilitate the efficient and effective construction of the Piedmont Community Pool facility; and

WHEREAS, the use of public right of way for this project will displace existing parking currently designated for the community, city employees, and Piedmont Unified School District employees, which will need to be temporarily accommodated in other locations for the duration of the project; and

WHEREAS, the City Council acknowledges the challenges of accommodating parking needs in the Civic Center and thanks the community, city staff, and Piedmont Unified School District staff for their understanding and accommodation during the construction of the Piedmont Community Pool;

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 Piedmont Community Pool project is authorized to use public right of way on Bonita Avenue between Magnolia and Vista Avenues for construction project purposes, provided that one lane of traffic and the sidewalk on the east side of the block remain open.

SECTION 2. The Piedmont Community Pool project is authorized to use sidewalk and parking strip portion public right of way on the pool side of Magnolia Avenue between the Piedmont Recreation Department building and Bonita Avenue. No Parking will be permitted adjacent to this construction use.

SECTION 3. As used in this resolution, Permit A parking designations are between 7:00 a.m. and 11:00 a.m. on school days and city employee parking designations are between 6:00 a.m. and 5:00 p.m. on weekdays. There are no restrictions on these spaces at other times.

SECTION 4. In the Community Hall Parking Lot, thirteen parking spaces are temporarily designated for Permit A holders, in a configuration which provides the most access to the community, as determined by staff. All other existing parking space designations remain in place.

SECTION 5. Thirteen diagonal and four parallel parking spaces are temporarily authorized on the east side of Highland Avenue between Sheridan and Sierra Avenues, with eleven temporarily designated for city employees, and six temporarily designated as two-hour parking. Staff is authorized to adjust the configuration of these designations to ensure the maximum amount of public parking is available.

SECTION 6. On Hillside Avenue, between Magnolia and Vista Avenues, three parallel parking spaces are temporarily designated for city employees, as delineated in Attachment B.

SECTION 7. On Magnolia Avenue, between Hillside Avenue and Hillside Court, three parallel parking spaces are temporarily designated for Permit A holders and three spaces are temporarily designated for city employees, as

delineated in Attachment B. Staff is directed to review this configuration to ensure that appropriate traffic safety guidelines are followed.

SECTION 8. These authorizations and designations will remain in place until the construction of the Piedmont Community Pool is completed.

SECTION 9. Resolutions 13-19 and 49-19 are hereby rescinded.

Moved by Andersen, Seconded by McCarthy  
Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey  
Noes: None  
Recused: None  
(0735)

**Update on  
Teleconference  
Meeting Regulations**

Ms. Lillevand provided a brief and high-level overview to explain the onset of virtual meetings in response to COVID-19 and transition to hybrid in-person and virtual meetings as allowed by the emergency orders of the Governor that relaxed State laws for public meetings and legislative bodies. She shared that at the end of February the Governor will likely rescind the emergency orders with narrow exceptions for members of a legislative body to participate in a meeting virtually. Ms. Lillevand stated that staff, consultants, and the public will be allowed to attend meetings virtually and staff is seeking guidance on how to move forward with public participation requirements. She thought it would be reasonable to continue the option of hybrid meetings considering that the necessary resources are in place and has shown to produce more participation.

**Public Testimony** was received from:

Marcia Lane encouraged the Council to retain the option of attending meetings virtually.

Direction was provided to staff to continue remote public participation for City Council and Planning Commission Meetings.  
(0795)

**REPORTS AND  
ANNOUNCEMENTS**

Vice Mayor Andersen announced the upcoming open houses and registration dates for Piedmont Recreation Department preschool programs. She encouraged community members to apply for positions with the Recreation Department. She also announced a Sustainable Ground Water Management in California virtual program tomorrow night held by The League of Women Voters.

Mayor Cavanaugh commended the City's annual Martin Luther King, Jr. day event, hosted in conjunction with the Piedmont Antiracism and Diversity Committee. She noted upcoming events hosted by the Piedmont Jewish Families and the Piedmont Asian American Club. She also announced a Stop Waste \$1.1 million grant launch opportunity for waste prevention efforts for not-for-profits and businesses.

Councilmembers suggested future agenda items on parking and traffic in the Civic Center and a preview of the budget for FY 2023-24.

**ADJOURNMENT**

There being no further business, Mayor Cavanaugh adjourned the meeting at 10:27 p.m.