

PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Monday, March 6, 2023

A Regular Session of the Piedmont City Council was held March 6, 2023, in the City Hall Council Chambers at 120 Vista Avenue. In accordance with Government Code Section 54954.2, the agenda for this meeting was posted for public inspection on March 2, 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, Deputy City Attorney Deepa Sharma, Police Chief Jeremy Bowers, Public Works Director Daniel Gonzales, City Engineer John Wanger, and Assistant City Administrator/City Clerk John Tulloch

CEREMONIAL ITEMS Mayor Cavanaugh presented a proclamation to the Piedmont High School Women's Soccer Team for the North Coast Section Championship.

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

CONSENT CALENDAR The Consent Calendar consisted of the following items:

Minutes Approval of Council Meeting Minutes for 02/06/2023

Piedmont Community Pool Parcel Merger WHEREAS, the City of Piedmont is pursuing the construction of a new Piedmont Community Pool; and

WHEREAS, in order to facilitate the construction of the Piedmont Community Pool, certain lot lines need to be adjusted and parcels combined to ensure the facility meeting all Building Code with respect to setbacks; and

WHEREAS, in accordance with Sections 19.4.O and 19.6.A.2 of the Piedmont City Code, reconfiguration of parcel lines is allowed to be accomplished by the recordation of deeds when the conveyance of land is for a government agency; and

WHEREAS, the adjustment of property lines and combining of parcels associated with the Piedmont Community Pool project involves only City owned properties; and

WHEREAS, in accordance with both the Piedmont City Code and the State Subdivision Map Act, deeds, legal descriptions and plats have been prepared showing the adjustments and the combination of parcels that is needed for the Piedmont Community Pool Project; and

WHEREAS, to comply with both the Municipal Code and the State Subdivision Map Act, the City Council must direct the recording of the deeds with the Alameda County Recorder's office; and

WHEREAS, once the deeds have been recorded and Assessor Parcel Numbers have been assigned by Alameda County, a Certificate of Compliance also needs to be filed and recorded with the Alameda County Recorder's office certifying that the resulting parcels as shown in the recorded deeds is in compliance with the Subdivision Map Act and the Piedmont City Code;

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

1. Directs the recordation of the deeds as attached hereto.
2. Once the deeds are recorded and Alameda County assigns new Assessor Parcel Numbers for the parcels described in the attached deeds, directs the filing and recordation of a Certificate of Compliance associated with the parcels.
3. This project is categorically exempt pursuant to CEQA Guidelines Section 15305(a), Minor Alterations in Land Use Limitations, because the project involves a minor lot line adjustment which does not result in the creation of any additional lots, nor does the adjustment result in any changes in land use or density, and none of the exceptions set forth in CEQA Guidelines Section 15300.2 are present.
4. 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.

(0630)

**Abandoned
Vehicle
Abatement
Program**

WHEREAS, the Alameda County Abandoned Vehicle Abatement Authority was formed in 1993; and

WHEREAS, since 1993, the Alameda County Abandoned Vehicle Abatement Authority and Program has provided approximately \$34.8 million county-wide which has supported the participating agencies in the abatement of approximately 465,000 abandoned vehicles in Alameda County: and

WHEREAS, the Alameda County Abandoned Vehicle Abatement Program is set to expire May 31, 2023; and

WHEREAS, new legislation allows for an extension of the program, with the approval of the County and a majority of the cities comprising a majority of the population of the incorporated areas; and

WHEREAS, it is desirable to the City of Piedmont to have the program continue; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Piedmont supports the extension of the Alameda County Abandoned Vehicle Abatement Program until May 31, 2023.

(0045)

There was no **Public Testimony** received.

Resolution No. 17-2023

RESOLVED, that the City Council approves the Consent Calendar.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

REGULAR AGENDA

The Council considered the following items of regular business:

Oakland Avenue Bulb Out Project

Councilmembers McCarthy and Ramsey each indicated that they live within 500 feet of the Oakland Avenue Bulb Out project, recused themselves from its consideration, and left the Council Chambers.

City Administrator Sara Lillevand provided a brief history of the Oakland Avenue bulb-out project at the intersections of El Cerrito and Jerome Avenues, dates to 2014. She commended Public Works Director Daniel Gonzales for his work, noted public engagement efforts, and recommended that the Council endorse the concept so staff can finalize the designs and go out to bid.

Mr. Gonzales thanked the Piedmont Beautification Foundation (PBF) for its participation in the project and provided a project background and timeline, public feedback, and concerns.

City Engineer John Wanger presented the proposed final design, noted conversations with AC Transit and the neighbors, and addressed cost options and neighbor feedback, pedestrian safety, parking impacts, adequate site distance, and pedestrian crossing locations. He believed that the proposed design concept best achieves the design criteria for safety and the project goals.

Karen Sullivan relayed PBFs approach to this project and how it fits in with PBFs portfolio of projects that help with City funding. She noted a fundraiser and \$50,000 donation for this project. Mayor Cavanaugh thanked her for her leadership, support, and partnership.

The Council asked questions regarding several aspects of the project, its design, notice to neighbors, use of bollards, bulb-out surface area, balance between traffic and pedestrian safety on El Cerrito Avenue, changes to AC Transit bus stops, pedestrian ramps, flashing beacons across Oakland Avenue, and crossing guards.

Public Testimony was received from the following:

Paul Lettieri, Ashley Oliver, Kathy Moody, and Ryan Lau supported the project. Each made suggestions on ways the project could be improved. Speakers also commended Chuck Oraftik the time and effort he put in on improving the design of the project at the intersection of Jerome Avenue

The Council thanked residents for their input on this project and Ms. Lillevand thanked Chuck Oraftik for all his work on this project.

Resolution No. 18-2023

RESOLVED, that the City Council approves the conceptual design for the bulb-outs at the intersections of Oakland Avenue and El Cerrito and Jerome Avenues and directs staff to complete the construction bid documents and bid the project.

Moved by Long, Seconded by Andersen

Ayes: Andersen, Cavanaugh, Long

Noes: None

Recused: McCarthy, Ramsey
(0045)

Councilmembers McCarthy and Ramsey returned to the Council Chambers and resumed their seats.

**Award of Design
Contract for Phase 6
Sanitary Sewer
Project**

Ms. Lillevand recommended that the Council award an agreement with Bennett Engineering for design improvements associated with the Phase 6 Sanitary Sewer Project in the amount of \$471,471, approve an overall design budget of \$510,285, and authorization for the City Administrator to spend to the design budget. She noted the long history of the City's phased sanitary sewer rehabilitation project.

Mr. Gonzales provided an update on the city's sewer replacement pursuant to the Environmental Protection Agency consent decree. He detailed the selection process for selecting the design professional for this project. He indicated that the overall goal of the sewer rehabilitation in compliance with the consent decree is to prevent treatment plant overflows.

Mr. Wanger indicated that the proposed Phase 6 project will rehabilitate approximately 15,000 - 20,000 lineal feet of sanitary sewer lines, which leaves approximately 49,000 lineal feet remaining over two or three more phases depending on finances. He noted that Piedmont is ahead of the requirements of the consent decree.

Mr. Gonzales and Mr. Wanger shared coordination efforts with other utilities and discussed economy of scales with sewer lateral work by homeowners.

There was no **Public Testimony** received.

Resolution No. 19-2023

RESOLVED, that the City Council approves the proposed agreement with Bennett Engineering for design services for the Phase 6 Sanitary Sewer Project, based on a time and materials basis, at an amount not to exceed \$471,471 and approves a total design budget of \$510,285, which includes a contingency of \$38,813 and authorizes the City Administrator to spend up to this amount if required.

Moved by Ramsey, Seconded by Andersen

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

(0045)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember McCarthy announced City's annual Arbor Day celebration on April 27th, the Heritage Tree nominations due on March 17th, and provided an update from the Park Commission meeting.

Councilmember Long relayed that staff is working to respond to comments received from the Department of Housing and Community Development (HCD) on February 16 and will bring them to Council upon completion.

Vice Mayor Andersen announced that the Piedmont Unified School District will announce its new superintendent announcement on Wednesday, the Art Hecht Award nominations due on March 17th, and ticket sales for the 54th Annual Piedmont Bird Calling Contest on March 30.

Mayor Cavanaugh announced Piedmont's membership to the Government Alliance on Racism and Equity and acknowledged Women's History month. She announced the upcoming Food Fest, Play Like a Girl Plus Event, Piedmont Adult School Expo, and a community safety event in coordination with Piedmont Asian America Club, Black Youth Family Collective, Piedmont Jewish Community, and the Piedmont Racial Equity Campaign on March 15th. She also announced that the City would receive recognition from the Alameda County Tobacco Control Commission and that the Recreation Department would receive recognition from the California Parks and Recreation Society.

ADJOURNMENT

There being no further business, Mayor Cavanaugh adjourned the meeting at 8:02 p.m.