

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, May 15, 2023

A Regular Session of the Piedmont City Council was held May 15, 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 May 11, 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 Rosanna Bayon Moore, City Attorney Michelle Marchetta Kenyon, Public Works Director Daniel Gonzales, Planning & Building Director Kevin Jackson, Recreation Director Chelle Putzer, Finance Director Michael Szczech, Communications Program Manager Echa Schneider, Senior Planner Pierce Macdonald, Assistant Planner Joshua Muller, and Assistant City Administrator/City Clerk John Tulloch

CEREMONIAL ITEMS

Mayor Cavanaugh presented a proclamation naming the month of May 2023 Asian American and Pacific Islander Heritage month. Cassindy Chao received the proclamation, noted the culture and history, and shared community activities.

Mayor Cavanaugh presented a proclamation naming the month of May 2023 Jewish American Heritage Month. Sara Kaplan received the proclamation, shared community events, and thanked the Council for their commitment to the Jewish American community.

PUBLIC FORUM

There was no **Public Testimony**.

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

Minutes

Approval of City Council Minutes for 04/04/2023, 04/17/2023, 05/01/2023

SB 1 Resolution

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 \$278,325 in RMRA funding in Fiscal Year 2023-24 from SB 1; and

WHEREAS, this is the 7th 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 seventeen streets/roads, and add active transportation infrastructure throughout the City this year and dozens of similar projects into the future; and

WHEREAS, the 2018 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 help maintain our streets and roads in a "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 following list of newly proposed projects will be funded in-part or solely with Fiscal Year 2023-24 Road Maintenance and Rehabilitation Account revenues:

FY 23-24 STREET REHABILITATION PROJECT					
STREET NAME	BEGIN	END	CURRENT PCI	ESTIMATED PROJECT SCHEDULE (START/COMPLETION)	ESTIMATED PROJECT USEFUL LIFE
BLAIR AV	HIGHLAND AV	HARDWICK AV	23	June 2024/Sept. 2024	20
SHERIDAN AV	HIGHLAND	CAPERTON	41	June 2024/Sept. 2024	20
BLAIR AV	RICARDO AVE	CARMEL AVE	41	June 2024/Sept. 2024	20
SEAVIEW AV	HAMPTON RD	LA SALLE AV	41	June 2024/Sept. 2024	20
CAMBRIDGE WY	GRAND AV	RICARDO AV	42	June 2024/Sept. 2024	20
VALANT PL	163' N/TRESTLE GLEN RD	END	44	June 2024/Sept. 2024	20
SAN CARLOS AV	OAKLAND AV	MAGNOLIA AV	44	June 2024/Sept. 2024	20
CROYDON CR	ST JAMES DR	END	45	June 2024/Sept. 2024	20
TRESTLE GLEN (LOWER) RD	1880 TRESTLE GLEN RD	1840 TRESTLE GLEN RD	45	June 2024/Sept. 2024	20
WILDWOOD AV	WINSOR AV	100' N of PORTSMOUTH	45	June 2024/Sept. 2024	20
HAMPTON RD	ST JAMES DR	SEAVIEW AV	46	June 2024/Sept. 2024	20
KEEFER CT	JEROME AV	END	48	June 2024/Sept. 2024	20
MORAGA AV	MONTICELLO	BONITA AV	50	June 2024/Sept. 2024	20
OAK RD	PARK LN	OAKMONT AV	56	June 2024/Sept. 2024	20
PACIFIC AV	MOUNTAIN AV	SCENIC AV	58	June 2024/Sept. 2024	20
ST JAMES DR	100FT W OF CROYDON	PARK BLVD	58	June 2024/Sept. 2024	20
JEROME AV	NOVA	MAGNOLIA	59	June 2024/Sept. 2024	20

(1000)

Resolution for Vehicle Miles Traveled

WHEREAS, under Senate Bill 743 (SB 743), enacted into law in 2013, transportation metrics based on automobile delay or congestion—typically measured in terms of “level of service” (LOS)— may no longer be used to establish the significance of transportation impacts of proposed projects under the California Environmental Quality Act (CEQA); and

WHEREAS, SB 743 directed the Governor’s Office of Planning and Research (OPR) to develop new CEQA criteria which would better measure the actual transportation-related environmental impacts of any given project (essentially by measuring the impacts caused from driving rather than the impacts caused to drivers); and

WHEREAS, in response to SB 743, in 2018 OPR proposed, and the California Natural Resources Agency certified and adopted, new CEQA Guidelines, including Section 15064.3, which identifies “vehicle-miles traveled” (VMT)—meaning the amount of automobile travel attributable to a project—as the most appropriate measure of a project’s transportation impacts under CEQA; and

WHEREAS, the requirements of CEQA Guidelines Section 15064.3 have been in effect statewide as of July 1, 2020; and

WHEREAS, also in 2018, in December, OPR published a Technical Advisory on Evaluating Transportation Impacts in CEQA which provides substantial evidence that VMT is a better indicator than LOS of a project’s

greenhouse gas, air quality and energy impacts, and is an appropriate metric to use in analyzing transportation-related impacts to protect environmental quality, including in determining thresholds of significance; and

WHEREAS, OPR's 2018 Technical Advisory provides detailed technical guidance and recommendation on complying with requirements under SB 743 to "lead agencies" evaluating projects under CEQA; and

WHEREAS, based on OPR guidance (including the 2018 Technical Advisory) and considering local conditions, the City has developed a policy—hereinafter referred to as the "VMT policy"—that updates its process for analyzing transportation impacts under CEQA to comply with the requirements under SB 743, including by replacing LOS-based analysis of transportation impacts with a VMT-based analysis; and

WHEREAS, again based on OPR guidance, the City's VMT policy provides for setting project screening criteria for analysis, assessing VMT from projects, formulating VMT-based transportation thresholds of significance and applying mitigation measures as appropriate;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Piedmont adopts the VMT policy, attached hereto and incorporated herein as Exhibit A, updating the City's process for analyzing transportation impacts under CEQA.

SECTION 1. The above recitals are correct and are incorporated into this Resolution as findings of the City Council.

SECTION 2. The policy updating the city's process for analyzing transportation impacts under the California Environmental Quality Act in order to comply with California Senate Bill 743, is hereby adopted.

SECTION 3. The Planning Director and the Public Works Director are the custodians of documents and other materials that were considered by the City Council and constitute the record of proceedings on which this decision was based. The records are located at the Planning & Building Department, 120 Vista Avenue, Piedmont, CA 94611.

SECTION 4. All portions of this resolution are severable. If an individual component of this Resolution is adjudged by a court to be invalid and unenforceable, then the remaining portions will continue in effect.

(0795)

There was no **Public Testimony** received.

Resolution 33-2023

RESOLVED, that the City Council approves Items 1, 3 & 4 of the Consent Calendar.

Moved by McCarthy, Seconded by Long

Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey

Noes: None

**Agreement for Traffic Signal
Maintenance with Alameda
County**

Approval of an agreement with Alameda County Public Works for streetlight and traffic signal maintenance.

(0045)

There was no **Public Testimony** received.

Resolution 34-2023

RESOLVED, that the City Council approves agreement with Alameda County Public Works for streetlight and traffic signal maintenance.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey

Noes: None

REGULAR AGENDA

The Council considered the following items of regular business:

**Moraga Canyon
Student Presentation**

City Administrator Rosanna Bayon Moore introduced the winning graduate student presentation for Moraga Canyon from the James R. Boyce Affordable and Mixed Income Housing Competition Studio at the University of California at Berkeley and explained that it is an intellectual exercise with real world conditions.

Planning & Building Director Kevin Jackson indicated that the concept in front of the Council was based on the parameters of the request for proposal (RFP) prepared by the City for the Moraga Canyon Specific Plan. He reported that this concept was the judged best by the UC Berkeley Panel of the research conducted by three student graduate teams.

Professor Claire Parisa, University of California at Berkley faculty member, thanked the Council for the time staff provided to address questions related to the project and introduced the graduate students.

Snow Zhu, Yizhuang Liu, Brittaney Bluel, and Sam Greenberg, presented their conceptual plan to provide for at least 132 housing units at all income levels and for affordable housing development in Moraga Canyon. They provided site context, infrastructure, and physical conditions for Blair Park (south parcel) and the north parcel areas of Corporation Yard, Coaches Field, and Kennelly State Park. Additionally, the team reviewed a three-part vision and master planning, an overview of the design precedent and challenges, outlined their concept for housing at the Blair Park apartments and market rate Bay Overlook homes, financing approaches, and timelines.

There was **no Public Testimony** received.

(0515)

**2022 Annual Housing
Progress Report**

Ms. Bayon Moore relayed the legal requirement by the California Housing and Community Development Department for cities to report annually the progress on the effectiveness of the City's housing policies and programs, noted the state mandated allocation of 60 housing units in Piedmont by the end of 2023, and indicated that this will be the last annual progress report for the 5th Cycle (2015-2023) Housing Element of the Piedmont General Plan.

Senior Planner Pierce Macdonald provided a report of the 2022 Piedmont Housing Element Annual Progress Report, shared a breakdown of 123 building permits issued between January 2015 and January 2023 that surpassed the Reginal Housing Needs Allocation (RHNA) goal, reviewed the progress report statistics comparing activity in 2020, 2021, and 2022,

and presented the Accessory Dwelling Unit (ADU) production trajectory chart based on building permit issuances.

There was **no Public Testimony** received.

(0775)

**Recreation
Commission Term
Realignment**

The Council considered potential changes to the terms of current Recreation Commission members. City Attorney Michelle Marchetta Kenyon relayed that it is at the Council's discretion of how and who is appointed to a Commission seat with no precedence setting and that the Council can direct staff to provide the candidate's service time at the time of Commission seat consideration.

There was **no Public Testimony** received.

The Council deliberated on the approach to unexpired terms, fairness in appointment lengths, and access to the service time of candidates.

Staff acknowledged the Council's interest in forwarding candidate service time to the Council at the time of Commission seat consideration.

Resolution No. 35-2023

RESOLVED, that the City Council adjusts the term ending date for Recreation Commissioner Richard "Dick" Carter to March 31, 2025 and for Recreation Commissioner Sara Ironside to March 31, 2026.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy

Noes: Long, Ramsey

(0085)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember Long announced Bike to Work Day on Thursday and an energizer station on Highland and Vista Avenues in the morning.

Vice Mayor Andersen announced the upcoming high school graduation, the start of construction at Witter Field on June 6, and events hosted by the League of Women Voters for Piedmont listed at www.lvwpiedmont.org.

Councilmember Ramsey announced the 15-year celebration of the Piedmont Community Service Crew, open Recreation Department summer camp registration, and a 3x3 youth basketball tournament this weekend at Hampton Field.

ADJOURNMENT

There being no further business, Mayor Cavanaugh adjourned the meeting at 7:25 p.m.