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PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Monday, December 2, 2024

A Special and Regular Session of the Piedmont City Council in the City Hall Council Chambers, 120 Vista Avenue, was held on December 2, 2024. In accordance with Government Code Section 54954.2, the agenda for this meeting was posted for public inspection on November 27, 2024.

CALL TO ORDER

Mayor Cavenaugh called the Regular Session meeting to order at 6:10 p.m. with the Pledge of Allegiance, a moment of silence for Soren Dixon, Jack Nelson, and Krysta Tsukahara, and no reportable action from the Special Meeting.

ROLL CALL:

Mayor Jennifer Cavenaugh, Vice Mayor Betsy Smegal Andersen, Councilmember Jennifer Long, and Councilmember Conna McCarthy

Absent: Councilmember Tom Ramsey

Staff Present: City Administrator Rosanna Bayon Moore, City Attorney Michelle Marchetta Kenyon, Planning and Building Director Kevin Jackson, Fire Chief Dave Brannigan, Public Works Director Daniel Gonzales, Recreation Direction Chelle Putzer, Finance Director Michael Szczech, Communications Program Manager Echa Schneider, Associate Planner Gopika Nair, Parks and Program Manager Nancy Kent, and City Clerk Anna Brown

PUBLIC FORUM

Public Comment was received from:
Jacques Saldanha expressed concern for traffic safety on Magnolia Avenue and suggested closing the section of Magnolia Avenue that would create a closed school campus.

Luisa Cole and Bruno Banuelos proposed a four way stop sign at the intersection of Harvard Road and Port Smith Road.

PRESENTATIONS

Fire Chief Dave Brannigan introduced the Toys for Tots program and Three Wiseman giveaway collection until December 23. Members of Council donated toys.

The introduction of a new employee, Support Services Commander Brandi Marin-Morris, was moved to a future agenda.

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

Minutes

Approval of the Minutes for the City Council Meeting of 11/18/2024

Amendment to the Electricity Services Agreement for the Piedmont Community Pool Project

Approval of First Amendment to the Electricity Services Agreement Between Ava Energy (formerly known as East Bay Community Energy) and the City of Piedmont for the Piedmont Community Pool Project (0045)

There was no **Public Comment** received.

Resolution 67-2024
RESOLVED, that the City Council adopts the Consent Calendar.

Moved by Andersen, Seconded by McCarthy
Ayes: Andersen, Cavenaugh, Long, and McCarthy
Abstain: None
Absent: Ramsey

REGULAR AGENDA

The Council considered the following items of regular business:

Amendment of the Piedmont Community Pool Project Budgets

Public Works Director Gonzales introduced an amendment to increase the authorized total project budget for the Piedmont Community Pool Project and to increase the available Total Project Contingency. He noted the focus on project delivery, challenges outlined in the staff report, completion status, current work tasks, and focus on moving the project forward.

George Sanen and Jon Hughes of Griffin Structures and Clarence Mamuyac of ELS Architecture were present and provided additional information and responded to questions from the Council.

There was no **Public Comment** received.

Resolution No. 68-2024
RESOLVED, that the City Council approves (1) a reallocation of $35,000 from the Total Project Contingency budget for Soft Costs to be available as contingency funds for the construction budget with Wickman Development & Construction for a revised total soft cost budget in the amount of $5,341,000; (2) allocations of $100,000 from the Sewer Fund, and $2,670,000 from the Facilities Capital Fund, along with the reallocation of $35,000 from the Soft Cost budget to the approved construction budget of $26,724,000 with Wickman Development & Construction as available contingency funds for a revised total authorized construction budget in the amount of $29,559,000; and authorize the City Administrator to spend up to this amount; and (3) the revised total project budget in the amount of $34,900,000.
Moved by Andersen, Seconded by McCarthy
Ayes: Andersen, Cavenaugh, Long, and McCarthy
Abstain: None
Absent: Ramsey
(0270-1022)

Sanitary Sewer Rehabilitation Project – Phase 6

Mr. Gonzales introduced a resolution for consideration to approve the project and adopt an Initial Study and Negative Declaration and a Mitigation Monitoring and Reporting Plan for the Phase 6 - Sanitary Sewer Rehabilitation Project. He thought that with this item approved the City would be able to apply to the State for a Clean Water Revolving Fund Loan/30-year option, explained the details of the project and areas of rehabilitation, noted the impact categories studied and mitigation areas identified, indicated zero public comments received, and relayed plans to address the remaining sewer footage for rehabilitation.

City Engineer John Wanger was present to provide additional information and respond to questions from the Council.

There was no **Public Comment** received.

Resolution No. 69-2024
WHEREAS, in accordance with the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration (IS/MND),

dated October 2024, has been prepared by ECORP for the City's Sanitary Sewer Rehabilitation Project – Phase 6 ("Project"); and

WHEREAS, the IS/MND concludes that the Project, with the proposed mitigation measures contained in the IS/MND and associated Mitigation Monitoring and Reporting Plan (MMRP), would not have a significant adverse effect on the environment; and

WHEREAS, the City shall incorporate into the Project all applicable mitigation measures identified in the IS/MND and MMRP; and

WHEREAS, on October 28, 2024, the City circulated the IS/MND for public and agency review; and

WHEREAS, the City received comments on the IS/MND from the State Water Resources Control Board and prepared responses based on such comments; and

WHEREAS, the City considered the IS/MND and MMRP on December 2, 2024; and

WHEREAS, the statements, findings, determinations, certifications, approvals and other actions set forth in this Resolution are based on the entire record before the City, including, without limitation, (i) the IS/MND and MMRP, both of which are on file at City Hall, 120 Vista Avenue, Piedmont, California and can be downloaded from the City's website at: https://piedmont.ca.gov/services___departments/public_works/city_project; (ii) the staff report (including attachments thereto) accompanying this Resolution; and (iii) all written and oral testimony presented to the City.

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

SECTION 1. The City of Piedmont, on the basis of the whole record before it, and based on its independent judgment and analysis, hereby finds there is no substantial evidence that the Project will have a significant effect upon the environment.

SECTION 2. The City hereby approves and adopts the IS/MND for the Project based upon the findings specified in Section 1 above, and subject to the mitigation measures contained therein and in the MMRP.

SECTION 3. The City approves and adopts the MMRP for the Project and directs staff to carry out the Project to implement and comply with: 1) the mitigation measures, which are described and referenced in the IS/MND; and 2) the MMRP.

SECTION 4. The City is the custodian of the documents and other material which constitute the record of proceedings upon which the decision to approve the IS/MND and MMRP is based. Documents and other materials are located in the City offices at 120 Vista Avenue, Piedmont, California.

SECTION 5. The City hereby approves the Project, and the City Administrator is hereby authorized to file a Notice of Determination with respect to the IS/MND with the Alameda County Clerk and the State of California Office of Planning and Research.

Moved by McCarthy, Seconded by Long
Ayes: Andersen, Cavenaugh, Long, and McCarthy
Abstain: None
Absent: Ramsey
(0935)

Housing Element Programs Implementation Status

Planning and Building Director Kevin Jackson and Associate Planner Gopika Nair presented an informational report on the status of the 6th Cycle Housing Element programs implementation that included the City's responsibilities, programs and goals, and completed, ongoing, and in progress programs, major initiatives, and programs requiring further action. They outlined a housing program request for proposal (RFP) to be issued in early 2025 and policy agenda items and significant programs to come before Council in 2025 for discussion related to lot mergers, site improvement standards, impact fees, and inclusionary housing.

City Attorney Michelle Marchetta Kenyon and Karen W. Murphy, Partner with Burke Williams & Sorensen, LLP, responded to additional questions from the Council.

There was no **Public Comment** received.

This was an informational item that required no Council action.

(0775)

REPORTS AND ANNOUNCEMENTS

Vice Mayor Andersen announced that the December Pool Advisory Committee meeting will be changed to a date unknown in January and expressed appreciation for Mayor Cavenaugh's commitment and service to the City.

Councilmember McCarthy noted that there will be no Park Commission meeting this month and the Public Safety meeting will take place on Thursday night.

Councilmember Long announced that this meeting is Mayor Cavenaugh's last in Chambers and thanked her for her service.

Mayor Cavenaugh thanked staff and colleagues for their service.

ADJOURNMENT

With no further business, Mayor Cavenaugh adjourned the meeting at 8:54 p.m. in memory of Soren Dixon, Jack Nelson, and Krysta Tsukahara and with healing thoughts for their surviving peer.

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