

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Tuesday, June 20, 2023

A Regular Session of the Piedmont City Council was held on June 20, 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 June 15, 2023.

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

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, Deputy City Attorney Deepa Sharma, Police Chief Jeremy Bowers, Fire Chief Dave Brannigan, Public Works Director Daniel Gonzales, Planning & Building Director Kevin Jackson, Communications Program Manager Echa Schneider, Finance Director Michael Szczech, Associate Planner Gopika Nair, Deputy City Clerk Lisa Argue, and Assistant City Administrator/City Clerk John Tulloch

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

CONSENT CALENDAR The Consent Calendar consisted of the following items:

Minutes Approval of City Council Minutes for 05/18/2023 and 06/05/2023

Piedmont Beautification Foundation Appointment of City of Piedmont members of the Piedmont Beautification Foundation Board of Trustees (0085)

FY 2023-2024 City Council Regular Meeting Calendar Receipt of the City Council Regular Meeting Calendar for Fiscal Year 2023-2024 (0040-0285)

There was no **Public Testimony** received.

Resolution 38-2023

RESOLVED, that the City Council approves the May 18, 2023, City Council minutes as amended, the June 5, 2023 City Council minutes, and appointments to the Piedmont Beautification Foundation Board of Trustees. Moved by Andersen, Seconded by McCarthy
Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey
Noes: None

Resolution 39-2023

RESOLVED, that its City Council approves the Fiscal Year 2023-2024 meeting calendar as amended. Moved by McCarthy, Seconded by Ramsey
Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey
Noes: None

REGULAR AGENDA The Council considered the following items of regular business:

**Presentation from
Alameda County
Auditor/Controller**

Melissa Wilk, Alameda County Auditor-Controller/Clerk-Recorder, presented her background and the duties of the office of Auditor-Controller, property tax process, duties of the office of the Clerk-Recorder, services, volunteer Deputy Marriage Commissioner opportunities, Tri-Valley office, Alameda County Arts Commission programming, Restrictive Covenant Redaction Project, on-line and hybrid services, staff composition, and community outreach newsletter and events.

There was no **Public Testimony** received.

**Public Hearing on
Proposed FY 2023-24
Budget**

City Administrator Rosanna Bayon Moore introduced the proposed budget and fee schedule for FY 2023-2024 and the Levy of the Municipal Services Special Tax and the Special Municipal Sewer Tax. She noted that as per Council direction on June 5, 2023, staff integrated the fulltime employee dispatcher position into the Police Department budget using the Citizen Options for Public Safety (COPS) funding and noted that staff will revisit a second fulltime dispatch employee at the mid-year budget review.

Finance Director Michael Szczech noted the impact to the expenditures in the General Fund by adding the dispatcher position as of September 1, 2023, and forthcoming parcel tax and increasing revenue recommendations from the Budget Committee.

Mayor Cavanaugh opened the public hearing.

There was **no Public Testimony** received.

Mayor Cavanaugh closed the public hearing.

Resolution 40-2023

RESOLVED, that the City Council adopts the proposed 2023-24 Operating Budget in the amount of \$38,332,551.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey

Noes: None
(0165)

Resolution 41-2023

RESOLVED, that the City Council adopts the proposed 2023-24 Other Funds Budget in the amount of \$38,512,724.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey

Noes: None
(0165)

Resolution 42-2023

RESOLVED, that the City Council approves the updated fees and charges as set forth in the Schedule of Fees and Charges in Attachment A.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey

Noes: None
(0165)

Resolution 43-2023

RESOLVED, that the population percentage increase for the County of Alameda be used for computing the 2023-24 appropriation limit for the City of Piedmont.

BE IT FURTHER RESOLVED, that the use of growth in the California Per Capita Personal Income be used for computing the appropriation limit for the City of Piedmont for 2023-24.

BE IT FURTHER RESOLVED, that following public notice of the availability of the documentation used in the determination of the appropriation limit pursuant to Section 7910 of the Government Code and Article XI11(B) of the California Constitution, as amended by Proposition 111 and SB 88, the City Council does hereby establish the appropriation limit for 2023-24 of \$31,474,529.

Moved by Andersen, Seconded by McCarthy
Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey
Noes: None
(0165)

Resolution 44-2023

WHEREAS, the City Council, in accordance with the provisions of Chapter 20B of the City Code, has held a public hearing relating to the need to assess the Municipal Services Special Tax for the 2023-24 tax year commencing July 1, 2023; and

WHEREAS, the City Council, after fully considering all the information and materials before it, determines in accordance with Section 20B.2 of the City Code that the cost of providing the general municipal services for the 2023-24 tax year exceeds the amount of funds generated through other revenue and income for such services; and

WHEREAS, the City Council further determines that a general Municipal Services Special Tax must be levied for the 2023-24 tax year in order to provide the municipal services required by the residents of the City; and

WHEREAS, after reviewing the financial and tax data available, the City Council determines that the amount to be raised by the Municipal Services Special Tax is estimated at \$2,623,000 and that the tax should be set at the rates set forth hereafter.

NOW, THEREFORE, BE IT RESOLVED, that based upon the foregoing findings and determinations the City Council does hereby levy a general Municipal Services Special Tax in the estimated amount of \$2,623,000 for the 2023-24 tax year pursuant to Chapter 20B of the City Code at the rates set forth hereafter:

Single Family Residence
0 to 4,999 sq. ft. \$ 595
5,000 to 9,999 sq. ft. \$ 669
10,000 to 14,999 sq. ft. \$ 772
15,000 to 20,000 sq. ft. \$ 882
Over 20,000 sq. ft. \$ 1,005

Commercial Properties
0 to 10,000 sq. ft. \$ 1,005

Over 10,000 sq. ft. \$ 1,508

Multi-Family Residence per unit \$ 413

Parcels Divided by Tax Code Area Line \$ 610

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey

Noes: None

(0165)

Resolution 45-2023

WHEREAS, the City Council, in accordance with the provisions of Chapter 20E.4 of the Piedmont Municipal Code, has held a public hearing relating to the need to assess the Special Municipal Sewer Tax for the 2023-24 tax year commencing July 1, 2023; and

WHEREAS, the City Council, after fully considering all of the information and materials before it, determines in accordance with Section 20E.2 of the City Code that the maximum amount to be raised by the Special Municipal Sewer Tax is \$3,062,000; and

WHEREAS, under the provisions of Section 20E.3, the tax for the fiscal year beginning July 1, 2023 shall be set forth hereafter; and

WHEREAS, that based upon the foregoing findings and determinations, the City Council does hereby levy a Special Municipal Sewer Tax with an estimated revenue of \$3,062,000 for the 2023-24 tax year pursuant to Chapter 20E of the Piedmont Municipal Code at the rates set forth hereafter.

NOW, THEREFORE, BE IT RESOLVED, that based upon the foregoing findings and determinations the City Council does hereby levy a Special Municipal Sewer Tax with an estimated revenue of \$3,062,000 for the 2023-24 tax year pursuant to Chapter 20E of the City Code at the rates set forth hereafter:

Single Family Residence

0 to 4,999 sq. ft. \$ 682

5,000 to 9,999 sq. ft. \$ 777

10,000 to 14,999 sq. ft. \$ 896

15,000 to 20,000 sq. ft. \$ 1,045

Over 20,000 sq. ft. \$ 1,231

Commercial Properties

0 to 10,000 sq. ft. \$ 1,231

Over 10,000 sq. ft. \$ 1,698

Multi-Family Residence per unit \$ 568

Parcels Divided by Tax Code Area Line \$ 682

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey

Noes: None

(0165)

**Priority Development
Area and Priority
Development Sites**

Ms. Bayon Moore recommended the Council consider participating in the Association of Bay Area Government's (ABAG) and Metropolitan Transportation Commission's (MTC) Priority Development Area and Priority Sites Program for future grant funding opportunities and a nomination of two sites in Piedmont as Priority Development Areas and one site as a Priority Site.

Associate Planner Gopika Nair presented the benefits of designating Priority Development Areas (PDA) and Priority Sites, PDA Site 1: Moraga Canyon Specific Plan Study Area, PDA Site 2: Zone C and Zone D parcels on Grand and Linda Avenues, fiscal considerations, and next steps.

There was **no Public Testimony** received.

Resolution 46-2023

WHEREAS, the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) adopted the Plan Bay Area 2050 (the Plan), a long-range plan charting the course for the future of the nine-county San Francisco Bay Area in October 2021; and

WHEREAS, the Plan serves as the Bay Area's Regional Transportation Plan and Sustainable Communities Strategy, outlining strategies for growth and investment through the year 2050; and

WHEREAS, ABAG and the MTC are creating a Regional Growth Framework to be used in the Plan; and

WHEREAS, this Framework includes locally nominated Priority Development Areas (PDAs) as locations to coordinate local and regional planning for housing, jobs, and future investment; and

WHEREAS, the adoption of a PDA does not change the zoning, comprehensive plan, or other land use designation of the geographic area encompassed by the PDA, with local jurisdictions retaining full land use control; and

WHEREAS, jurisdictions with PDAs have access to regional funding that is dedicated to plans and infrastructure improvements in PDAs; and

WHEREAS, the designation of 22.62 acres of Moraga Canyon Specific Plan Area and 5.47 acres of Mixed-Use Commercial/Multi-Family and Multi-Family Residential Parcels on Grand and Linda Avenues as local priority development areas will open funding opportunities for future development and infrastructure improvements;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Piedmont nominates 22.62 acres of Moraga Canyon Specific Plan Area and 5.47 acres of Mixed-Use Commercial/Multi-Family and Multi-Family Residential Parcels on Grand and Linda Avenues as PDAs, as shown in Exhibits A and B, by authorizing staff to submit nomination application by July 31, 2023.

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

SECTION 2. The Planning Director is the custodian 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 3. 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.

Moved by Ramsey, Seconded by McCarthy
Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey
Noes: None
(0775)

Resolution 47-2023

WHEREAS, the Metropolitan Transportation Commission (MTC) and the Association of Bay Governments (ABAG) adopted the Plan Bay Area 2050 (the Plan), a long-range plan charting the course for the future of the nine-county San Francisco Bay Area in October 2021; and

WHEREAS, the Plan serves as the Bay Area's Regional Transportation Plan and Sustainable Communities Strategy, outlining strategies for growth and investment through the year 2050; and

WHEREAS, ABAG and the MTC are creating a Regional Growth Framework to be used in the Plan; and

WHEREAS, this Framework includes locally nominated Priority Development Areas (PDAs) as locations to coordinate local and regional planning for housing, jobs, and future investment; and

WHEREAS, this Framework focuses half of new affordable homes on sites prioritized in two of its housing strategies-Public Land Reuse and Mall and Office Reuse- because of their size and potential economic benefits, called Priority Sites; and

WHEREAS, this Framework focuses on new homes and jobs in Growth Geographies. Growth geographies includes existing and new Priority Development Areas (PDAs); and

WHEREAS, the City recently nominated 22.62 acres of Moraga Canyon Specific Plan Area as a PDA designation open to funding opportunities; and

WHEREAS, if designation of the PDA site-Moraga Canyon Specific Plan Area -is approved by MTC and ABAG, the designation of the Site as a Priority Site will open more funding opportunities. Currently, MTC and Bay Area Housing Finance Authority (BAHFA) have allocated \$28 million for a pilot program to provide predevelopment financing for affordable housing on Priority Sites.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Piedmont nominates 22.62 acres of Moraga Canyon Specific Plan Area as Priority Site, as shown in Exhibit A, by authorizing staff to submit nomination application by September 31, 2023.

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

SECTION 2. The Planning Director is the custodian 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 3. 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.

Moved by Ramsey, Seconded by McCarthy
Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey
Noes: None
(0775)

**Piedmont Community
Pool Project Naming
Rights Agreement
Template**

Ms. Bayon Moore indicated that while most of the donations for the Piedmont Community Pool have been collected through the Piedmont Recreation Facilities Organization (PRFO), direct donations will be received from major donors who are entitled to naming rights associated with the facility. She noted that the request before the Council is to address a template form for naming rights and authorize the City Administrator to enter into the agreements on behalf of the City and as per the City Council facility naming policy.

There was **no Public Testimony** received.

Resolution 48-2023

RESOLVED, that the City Council authorizes the City Administrator to execute agreements with major donors to the Piedmont Community Pool Project in substantially the same form as the proposed City of Piedmont Naming Agreement, and in conformance with City Council Policy No. 7: Acceptance of Donations & Naming of City-Owned Facilities.

Moved by Andersen, Seconded by McCarthy
Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey
Noes: None
(0045)

**REPORTS AND
ANNOUNCEMENTS**

Vice Mayor Andersen attended the annual meeting of the Association of Bay Area Governments (ABAG) and announced the East Bay Community Energy board of directors meeting on June 21 to discuss rebranding.

Councilmember McCarthy announced the opening of the Highland/Guilford steps followed by the Volunteer Recognition Reception on June 27, and a meeting for Dracena Park ADA (Americans with Disabilities Act) access on July 11.

Council Member Ramsey announced remaining summer camp openings and open registration for school year extended day care.

Mayor Cavanaugh noted the AC Transit survey opportunity, waste reduction efforts by Stop Waste, and reported on activities of CalCities in relation to affordable housing. She also noted the Betty C. Howard Recreation Service Awards as part of the Volunteer Recognition Reception on June 27.

ADJOURNMENT

Major Cavanaugh adjourned the City Council meeting to the Conference Room at 7:17 p.m. for a Closed Session to discuss the Public Employee Performance Evaluation (Govt. Code 54957 (b)(1)) related to the City Administrator. There was no reportable action from the closed session.

DRAFT