

PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Monday, July 1, 2024

A Special and Regular Session of the Piedmont City Council in the City Hall Council Chambers, 120 Vista Avenue, was held on July 1, 2024. In accordance with Government Code Section 54954.2, the agenda for this meeting was posted for public inspection on June 27, 2024.

CALL TO ORDER

Mayor Cavanaugh called the Regular Session meeting to order at 6:00 p.m. with the Pledge of Allegiance with no reportable action from the Closed Session.

ROLL CALL

Present: Mayor Jennifer Cavanaugh, Vice Mayor Betsy Smegal Andersen, and Councilmember Jennifer Long, Councilmember Conna McCarthy, and Councilmember Tom Ramsey

Staff Present: City Administrator Rosanna Bayon Moore, City Attorney Michelle Marchetta Kenyon, Planning & Building Director Kevin Jackson, Communications Program Manager Echa Schneider, Recreation Director Chelle Putzer, Fire Chief Dave Brannigan, Finance Director Michael Szczech, Parks and Project Manager Nancy Kent, Sustainability Program Manager Deniz Ergun, Climate Action Fellow Alyssa Romeo, Public Works Director Daniel Gonzales (remote), and City Clerk Anna Brown

PUBLIC FORUM

Public Comment was received from:

Lois Corrin requested that the mayor announce her birthday at the upcoming July 4 speech.

Erin Ashton supported the Wistaria Way project petition, while Diane Prioleau, Harvey Leiderman, Richard Latvala, and Linda Stephan expressed concern for how the project will impact the alleged wetlands associated with the creek and the urban forest and lack of local control due to SB 9, and urged the Council to visit the property, add it as a future agenda item, and direct staff to halt further permitting action in the interim.

CEREMONIAL MATTERS

Mayor Cavanaugh presented a proclamation to recognize July 2024 as Parks and Recreation Month. Recreation Director Chelle Putzer and Parks and Projects Manager Nancy Kent accepted the recognition.

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

Minutes

Approval of the City Council Minutes for the Special and Regular Meetings of 6/17/2024

General Municipal Election Procedural Details Resolution

Approve a Resolution Regarding Procedural Details for the General Municipal Election of November 5, 2024

WHEREAS, a General Municipal Election is scheduled for November 5, 2024, for the purpose of the election of two (2) members of the City Council, for a regular term of four (4) years, and two (2) members of the Piedmont Board of Education for a regular term of four (4) years; and WHEREAS, it is necessary to determine a number of details relating to such General Municipal Election and to request that the Alameda County Board

of Supervisors consolidate such General Municipal Election with the Statewide General Election to be held on the same date;

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. Pursuant to the requirements of the Charter of the City of Piedmont, a General Municipal Election is called and ordered to be held in the City of Piedmont, California on Tuesday, November 5, 2024 for the purpose of electing two (2) members of the City Council, for a regular term of four (4) years, and two (2) members of the Piedmont Board of Education for a regular term of four (4) years.

SECTION 2. Pursuant to §10002 and §10403 of the Elections Code, the City of Piedmont formally requests that the General Municipal Election be consolidated with the Statewide General Election to be held on November 5, 2024 and further requests the services of the Alameda County Registrar of Voters in carrying out the General Municipal Election, including sending to the City's registered voters all required election materials, conducting the General Municipal Election, canvassing the vote received, and taking all steps necessary and required for the holding of this election within the City of Piedmont.

SECTION 3. That the City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed by §10418 of the Elections Code.

SECTION 4. The compensation for election officers shall be based on the rates set by the Alameda County Board of Supervisors which are in effect at the time of the General Municipal Election.

SECTION 5. The location of the central counting place for the ballots to be cast at the General Municipal Election shall be the Alameda County Courthouse, 1225 Fallon Street, Oakland, California.

SECTION 6. The polling place rental fees shall be the same as the fees which are adopted by the Alameda County Board of Supervisors, and which are currently in effect at the time of the General Municipal Election.

SECTION 7. There shall be no filing fee for candidates for office in the General Municipal Election.

SECTION 8. The candidates & statements shall be limited to a maximum of 200 words.

SECTION 9. In the event of a tie-vote for any office which is being voted on at such General Municipal Election, the provisions of Section 15651 of the California Elections Code, relating to determining the tie by lot, shall apply.

SECTION 10. The nominations for the General Municipal Election shall open on July 15, 2024, and close no later than 5:00 pm on August 9, 2024, unless extended pursuant to Elections Code Section 10225.

SECTION 11. The City Clerk is directed to give notice of the election in the time, form, and manner as required by law.

SECTION 13. In all particulars not recited in the Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 14. The City Clerk is authorized to transmit a certified copy of this resolution to the Alameda County Board of Supervisors and the Alameda County Registrar of Voters.

(0435-0370)

Memorandum of Agreement for Planning and Building Permits for 183 Somerset Road

Approve Memorandum of Agreement between the City of Piedmont and the City of Oakland Related to 183 Somerset Road Regarding Jurisdiction for Planning and Building Permits
(0045)

Revised Resolution Designating Projects for Senate Bill 1 and Authorization to Modify the Budget

Approve a Revised Resolution Designating Projects for Senate Bill 1 (SB-1) Road Maintenance Project for Fiscal Year 2024-25 and Authorization for the Finance Director to Modify the Budget to Reflect Anticipated SB-1 Revenues (Recommended CEQA Action: Exempt under CEQA Guideline Section 15301)

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 \$288,144 in RMRA funding in Fiscal Year 2023-24 from SB 1; and

WHEREAS, this is the 8th 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 numerous streets/roads, and add active transportation infrastructure throughout the City this year and dozens of similar projects into the future; and

WHEREAS, the 2023 California Statewide Local Streets and Roads Needs Assessment found that the City streets and roads are in “Lower Risk” condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into 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 2024-25 Road Maintenance and Rehabilitation Account revenues.

(1000)

Contract for Auditing Services

Approve a Contract for Auditing Services with Badawi & Associates, Certified Public Accountants, for the Next Three Fiscal Years for an Amount Not to Exceed \$169,940, and an Option to Extend an Additional Two Years for an Amount Not to Exceed \$122,035
(0045)

There was no **Public Comment** received.

Resolution 37-2024

RESOLVED, that the City Council approves the Consent Calendar as noted.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, and Ramsey

Abstain: None

Absent: None

REGULAR AGENDA

The Council considered the following items of regular business:

Public Hearing for the First Reading of Ordinance No. 774 N.S.

Public Hearing - Introduction and First Reading of Ordinance No. 774 N.S. Adding Division 17.56 Emergency Shelters to Chapter 17 of the Piedmont Municipal Code; and Amending Divisions 17.02, 17.40, 17.46, 17.50, 17.62, 17.64, 17.66, 17.68, 17.78, 17.90 to Implement the 2023-2031 Housing Element Implementation Project other maintenance items recommended by staff. (CEQA Review: Consistent with Housing Element Implementation EIR (SCH 2022020362) and Exempt under CEQA Guidelines 15061(b)(3), and 15378)

Planning & Building Director Kevin Jackson stated that the ordinance supports the implementation of the 6th Cycle Housing Element, addresses

the operation of emergency shelters in Zones A & B, includes revisions that bring the City code into compliance with State law, and provides clarification between different parts of the zoning ordinance.

Associate Planner Gopika Nair presented a summary of amendments proposed for the zoning ordinance and updates to Chapter 17 Planning and Land Use of the Piedmont City code, the reasons for the updates, new divisions for the emergency shelters, amendments to existing divisions, other updates, and next steps for the City Council.

There was no **Public Comment** received.

Resolution 38-2024

RESOLVED that City Council approves the first reading and introduction of Ordinance No. 774, as amended. The City Council's motion to approve the first reading directed staff to amend City Code section 17.40.020.C to clarify the maximum number of leases or persons allowed for renting a room or multiple rooms in a single-family and multi-family residence.

Moved by Ramsey, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, and Ramsey

Abstain: None

Absent: None

(0750)

**Emergency Medical
Services Agreement
Extension**

Fire Chief Dave Brannigan presented a proposed extension of the Emergency Medical Services (EMS) Agreements for First Responder Advanced Life Support (FRALS) Services and Ambulance Transport Services between the County of Alameda and the City of Piedmont. He reviewed the EMS system background, benefits of ambulance transport and FRALS, and fiscal impact. He noted a fee structure for a telehealth option and explained the reasoning for a two-year extension.

There was no **Public Comment** received.

Resolution 39-2024

RESOLVED, that the City Council approves an extension of the Agreement for First Responder Advance Live Support and Ambulance Transport Services between the County of Alameda and the City of Piedmont.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, and Ramsey

Abstain: None

Absent: None

(0045)

**2022 Greenhouse Gas
Emissions Inventory
Report and Climate
Action Plan 2.0
Implementation Status**

Sustainability Program Manager Deniz Ergun recognized the accomplishments of Climate Action Fellow Alyssa Romea who reported on the current greenhouse gas emissions goals, Piedmont's Climate Action Plan 2.0 implementation status over the last year, one-page fact sheet, and 2022 Greenhouse Gas Emissions Inventory with data since 2005, key areas of success, municipal activity emitters, emissions increase in 2022 from the year before, future projections, sources of Citywide emissions in 2022, areas for considerations, and next steps for suggested interventions.

There was **Public Comment** received from:

Jake Silver, Program Director of Sustainability Service Corps, introduced himself, explained the AmeriCorps program, and thanked the Council for their support.

(0459)

**Park Commission and
Pool Bond Oversight
Committee
Appointments**

Mayor Cavanaugh led the Council in the consideration of appointments to the Park Commission and Pool Bond Oversight Committee to make a recommendation. She made a brief statement on the recent resignations and the need to appoint new members.

There was no **Public Comment** received.

Resolution 40-2024

RESOLVED that the City Council appoints Shanna Wagnor to the Park Commission for a term ending March 31, 2027, and William Dietch to the Pool Bond Oversight Committee.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, and Ramsey

Noes: None

Absent: None

(0317)

**Amendment to
Increase the Available
Total Project
Contingency for the
Piedmont Community
Pool Project**

City Administrator Rosanna Bayon Moore and Jon Hughs from Griffin Structures presented a budget update on the Community Pool Project and the consideration of an amendment to the authorized Total Project Budget for the Piedmont Community Pool Project to increase the available total project contingency. They highlighted the project status and the funding source, amount, and purpose for additional funding, new elements included in the adjustment, pool project budget evolution, construction and soft costs, budget inclusions, funding sources, potential additional revenue, and a cost comparison of Piedmont to other all electric facilities.

George Sanen, Project Executive from Griffin Structures, provided additional details.

Clarence Mamuyac from ELS Architecture and Urban Design, Public Works Director Daniel Gonzales, and Finance Director Michael Szczech were available to address questions from the Council.

There was no **Public Comment** received.

Resolution 41-2024

RESOLVED, that the City Council approves allocations of \$60,000 from Measure BB / Street Fund, \$100,000 from COPS Fund and \$1,113,450 from the Facilities Capital Fund to the approved construction budget of \$25,091,550 with Wickman Development & Construction as available contingency funds for the completion of the Piedmont Community Pool Project for a revised total authorized construction budget in the amount of \$26,724,000; and authorize the City Administrator to spend up to this amount; an allocation of \$500,000 from the Facilities Capital Fund to the Total Project Contingency budget for Soft Costs for a revised total soft cost budget in the amount of \$5,376,000; and the revised total project budget in the amount of \$32,100,000.

Moved by Andersen, Seconded by Ramsey

Ayes: Andersen, Cavanaugh, Long, McCarthy, and Ramsey

Noes: None
Absent: None
(0270-1022)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember Long announced a Planning Commission Study Session on July 8 regarding the proposed revisions to the wireless communications ordinance and encouraged participation by residents.

Councilmember Ramsey announced the 4th of July Flotilla hosted by the Parks and Recreation Department and Movie in the Park on July 19 at 8:30 p.m.

Councilmember McCarthy reminded residents that the goats have arrived in Piedmont.

Councilmember Andersen noted the upcoming community events planned for the 4th of July.

ADJOURNMENT

Mayor Cavanaugh adjourned the meeting with no further business at 8:55 p.m.