

PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Monday, July 15, 2024

A Special and Regular Session of the Piedmont City Council in the City Hall Council Chambers, 120 Vista Avenue, was held on July 15, 2024. In accordance with Government Code Section 54954.2, the agenda for this meeting was posted for public inspection on July 11, 2024.

CALL TO ORDER

Mayor Cavanaugh called the Regular Session meeting to order at 6:00 p.m. with the Pledge of Allegiance and 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, Fire Chief Dave Brannigan, Finance Director Michael Szczech, Public Works Director Daniel Gonzales, and City Clerk Anna Brown

Mayor Cavanaugh changed the order of the agenda and took the ceremonial matters before the public forum.

CEREMONIAL MATTERS

Mayor Cavanaugh presented a proclamation in recognition of and received by Reverend Scott Kail, on the occasion of his retirement from Piedmont Community Church.

Community member Eric Sullivan gave public comment.

Fire Chief Dave Brannigan recognized Fire Fighter Chadwick Walker for his time as a liaison to the Las Posadas Academy. He introduced three new firefighter paramedics — Victoria Franzen, Gary Randolph, and Lucas Romero, and led a badge pinning for new fire department personnel before City Clerk Anna Brown swore them in.

PUBLIC FORUM

Public Comment was received from:

Harvey Leiderman, Richard Latvala, David Ashton, Jeff Olson, Linda Stephan, and Rachel Doughty expressed concern for the 77 Wisteria Way project, raised several points in opposition of the project, and asked the Council to examine the project scope, footprint and impervious features, retaining wall heights, and use of SB 9 in Piedmont.

City Attorney Michelle Marchetta Kenyon reviewed SB 9, the statute of limitations, the Brown Act, and State law authority, and stated that the Council has no authority to act on the Wisteria Way project.

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

Renewed Proposition 218 Certification

Approval of Renewed Proposition 218 Certification with Alameda County for Collection of Taxes (0045)

Resolution for the 2024 General

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

**Municipal Election
Procedural Details**

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 three (3) 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;

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 three (3) 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)

**Resolution of a Tax
Levy on All Real and
Personal Property**

Approval of a Resolution Requesting and Authorizing the County of Alameda to Levy a Tax on All Real and Personal Property in the City of Piedmont as a Voter Approved Levy for the General Obligation Bonds Issued Pursuant to a General Election Held November 3, 2020, for the Piedmont Community Pool

WHEREAS, on November 3, 2020, voters of the City of Piedmont passed Measure UU, authorizing the issuance of bonds in the amount not to exceed \$19,500,000 (the "Bonds") to finance the costs of municipal improvement projects of the City to prevent the permanent closure of, and replace, the Piedmont Community Pool, and to make improvements to adjacent areas (the "Improvements"), and

WHEREAS, Ordinance 762 N.S., approved by the City Council on September 7, 2021, authorized and directed the sale of not to exceed \$19,500,000 aggregate principal amount of City of Piedmont, California. General Obligation Bonds; and the levying of an ad valorem tax; and

WHEREAS, for the purpose of paying the principal of and interest on the Bonds, the City of Piedmont must authorize the County of Alameda to levy and collect annually each year an ad valorem tax in an amount sufficient to pay principal and interest of the bonds; and

WHEREAS, Measure UU estimated the maximum tax rate to be \$26.20/\$100,000 of assessed valuation over 30 years; and

WHEREAS, the required tax rate for Fiscal Year 2024-25 is \$21.00/\$100,000 of assessed valuation for secured property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Piedmont hereby authorizes the County of Alameda to levy a tax on all real and personal property in the City of Piedmont as a voter-approved levy for the General Obligation Bonds Issued pursuant to the General Election held November 3, 2020; and

BE IT FURTHER RESOLVED by the City Council of the City of Piedmont that the debt service for the \$19,500,000 General Obligation Bonds will be paid from a tax levy on all secured property in Piedmont of \$21.00/\$100,000 of assessed value and all unsecured property in Piedmont of \$21.80/\$100,000 of assessed value for Fiscal Year 2024-25.

(1030)

There was no **Public Comment** received.

Resolution 42-2024

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:

**Informational
Overview of the
Approach for Staffing
and Fee Studies for
the Piedmont Planning
& Building
Department**

Planning & Building Director Kevin Jackson stated that an informational overview of the approach to staffing and fee studies by Matrix Consulting Group for the Piedmont Planning & Building Department is an important study and should be completed on a regular basis and noted the impacts to the type of work performed by staff and resulting workload.

Matrix Consulting Group's Courtney Ramos, Project Manager, and Aaron Baggarly, Lead Analyst, provided an overview of the project and options for consideration upon the project's completion. They reviewed the overall project objectives, organizational study approach, phases, and key outcomes, and the fee study project approach, key considerations, and action items.

There was no **Public Comment** received.

The matter was an informational item only, so no formal action was taken by the City Council.

(0775)

**Amendments for
Consultant Services
for the Piedmont
Community Pool
Project**

Consideration of a Fourth Amendment to the City's Agreement with Griffin Structures at an Amount Not to Exceed \$199,777, with an Amended Overall Budget of \$1,662,225, and consideration of a Third Amendment to the City's Agreement with ELS Architecture for the Piedmont Community Pool Project in an Amount Not to Exceed \$205,620, with an Amended Overall Budget of \$2,790,638

The Council opted for no presentation.

City Administrator Bayon Moore responded to clarifying questions from the City Council.

There was no **Public Comment** received.

Resolution 43-2024

RESOLVED, that the City Council approves the Fourth Amendment to the City's Agreement with Griffin Structures at an Amount Not to Exceed \$199,777, with an Amended Overall Budget of \$1,662,225, and consideration of a Third Amendment to the City's Agreement with ELS Architecture for the Piedmont Community Pool Project in an Amount Not to Exceed \$205,620, with an Amended Overall Budget of \$2,790,638
Moved by Andersen, Seconded by Ramsey
Ayes: Andersen, Cavanaugh, Long, McCarthy, and Ramsey
Abstain: None
Absent: None
(0045)

REPORTS AND ANNOUNCEMENTS

Councilmember Long announced the Housing Accountability Act Primer on August 5 and an online survey for conditional use permits for potential businesses.

Vice Mayor Andersen alerted people of a press release regarding the November elections, the availability of nomination documents by appointment from the City Clerk, and available seats for City Council and the Board of Education.

Councilmember Ramsey announced the Movie in the Park on July 19 and that Penguin Soft Serve will be there. He suggested an agenda item for consideration for staff to educate the Council on the City's due diligence process for ministerial applications before they become SB 9 status and an information interview with staff on the status of SB 9 submittals and the application process and any other State required reviews.

Mayor Cavanaugh announced that there will be no City Council meeting on August 5 and complimented staff and volunteers on the Independence Day parade.

ADJOURNMENT

Mayor Cavanaugh adjourned the meeting with no further business at 8:02 p.m.