

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, October 16, 2023

A Regular Session of the Piedmont City Council in the City Hall Council Chambers, 120 Vista Avenue, was held on October 16, 2023. In accordance with Government Code Section 54954.2, the agenda for this meeting was posted for public inspection on October 12, 2023.

CALL TO ORDER

Mayor Cavanaugh called the Regular Session meeting to order at 6:02 p.m. with the Pledge of Allegiance and a moment of silence in recognition of the tragic loss of life and ongoing humanitarian crisis in Israel and Gaza.

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, Fire Chief Dave Brannigan, Public Works Director Daniel Gonzales, Director of Planning and Building Kevin Jackson, City Attorney Michelle Marchetta Kenyon, Recreation Director Chelle Putzer, Finance Director Michael Szczech, Deputy City Clerk Lisa Argue, and Interim City Clerk Sheri Hartz

PUBLIC FORUM

Public Comment was received from:

Max Roman and Sara Kaplan thanked the City Council, staff, and school district for supporting the Jewish community and asked the Council to be thoughtful with public messages, condemn antisemitism, and set a standard that hate has no home in Piedmont, and offered to help review proposed statements.

CEREMONIAL ITEM

Mayor Cavanaugh read a proclamation in recognition of David Hopkins' over 34 years of service to the Piedmont Recreation Department and proclaimed October 31, 2023, as David Hopkins Day in the City of Piedmont. Special sentiments were shared by Recreation Department Director Chelle Putzer and team.

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

Minutes

Approval of City Council Minutes for 10/02/2023

2023-24 Annual Sidewalk Repair Program

Approval of the Award of a Contract for the 2023-2024 Annual Sidewalk Repair Program to Rosas Brothers Construction in the amount of \$458,200, approval of an overall construction budget of \$504,020, and a finding that the project is categorically exempt under the California Environmental Quality Act (Section 15301) (0045)

FY 2023-24 Street Tree Pruning Project

Approval of the Award of a Contract for the FY2023-2024 Street Tree Pruning Project to The Professional Tree Care Co. in the amount of \$199,176, approving of an overall construction budget of \$219,094, and a finding that the project is exempt under the California Environmental Quality Act (0045)

2022 Striping Project

Approval of a resolution accepting improvements for the 2022 Striping Project (0045)

**2022 Sewer
Rehabilitation Project**

Approval of a resolution accepting improvements for the 2022 Sewer Rehabilitation Project
(0045)

**2nd Reading of
Ordinance 770 N.S.**

2nd Reading of Ordinance 770 N. S. approving the borrowing of funds from East Bay Community Energy to finance the Electrification of the Piedmont Community Pool Project
(0705)

There was no **Public Comment** received.

Resolution 63-2023

Motion to approve Items 1, 3, 4, 5, and 6.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey

Noes: None

Resolution 63a-2023

Motion to approve Item 2.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy, Ramsey

Noes: None

Recused: Long

Resolution 63b-2023

NOW, THEREFORE, BE IT RESOLVED BY THE CITY
COUNCIL OF THE CITY OF PIEDMONT AS FOLLOWS:

1- The improvements associated with the 2022 Striping Project are hereby accepted.

2- The Public Works Director is authorized to release the Performance and Labor & Material surety posted with this project; and to hold the Maintenance Bond for a period of one year from the date of this resolution, at which time the Public Works Director is authorized to release said bond if the improvements remain in good condition and there are no issues to be resolved.

3- The Public Works Director is directed to file a Notice of Completion concerning the Project with the Alameda County Clerk's Office within ten (10) days of the date of this Resolution.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey

Noes: None

Resolution 63c-2023

NOW, THEREFORE, BE IT RESOLVED BY THE CITY
COUNCIL OF THE CITY OF PIEDMONT AS FOLLOWS:

1- The improvements associated with the 2022 Sewer Rehabilitation Project are hereby accepted.

2-The Public Works Director is authorized to release the Performance and Labor & Material surety posted with this project; and to hold the Maintenance Bond for a period of one year from the date of this resolution, at which time the Public Works Director is authorized to release said

bond if the improvements remain in good condition and there are no issues to be resolved.

3-The Public Works Director is directed to file a Notice of Completion concerning the Project with the Alameda County Clerk's Office within ten (10) days of the date of this Resolution.

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:

City Clerk Appointment

Consideration of actions related to the Appointment of Piedmont City Clerk Anna M. Brown

City Administrator Rosanna Bayon Moore relayed the process to appoint an Interim City Clerk and subsequent executive recruitment to identify a qualified and permanent replacement. She noted that Ms. Brown was the top-ranked finalist and detailed her experience and credentials, the staff recommendation, and the monthly compensation outlined in City Council Resolution 12-2022.

There was no **Public Comment**.

Ms. Brown thanked the Council for the opportunity to serve the community.

Resolution 64-2023

RESOLVED, that the City Council appoints Anna M. Brown as Piedmont City Clerk, the appointment to conform in all respects with the specified compensation program for management personnel and other terms and conditions of employment outlined in City Council Resolution No. 12-2022, with the monthly salary for the position at \$14,787, a monthly auto allowance of \$250 provided, and other standard benefits.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey

Noes: None

(0085)

Piedmont Community Pool Project Update

Ms. Bayon Moore introduced the item before turning it over to George Sanen of Griffin Structures, who gave a progress report and itemized the completed tasks in the past quarter and plans for the next quarter. He stated that as of September 30, 2023, the project was approximately 42 percent complete and 182 out of 435 allocated construction days had been used. He added that the project team was working to resolve areas impacting the schedule and identify the extent they will impact the overall project completion. Mr. Sanen indicated that 53 percent of the remaining items fell under the critical path and noted challenges and expected delays. He stated that he would report back with a target completion date when it is known, noting that 58 percent of the contingency funds to date have been approved as change order requests and the project was currently within the budget.

Clarence Mamuyac, CEO of ELS Architecture and Urban Design, John Hughes, President of Griffin Structures, and Jonathan Wickman, General Contractor were available for questions and provided brief updates.

There was no **Public Comment** received.

(0270-1022)

**Receipt of the Budget
Advisory & Financial
Planning Committee
Report**

Ms. Bayon Moore summarized that after reviewing the body of work prepared by the Budget Advisory & Financial Planning Committee (BAFP), the City's long-term projections, and the Municipal Services Special Tax currently in place, a staff recommendation is advanced for the purposes of Council discussion and direction. The Council was asked to consider the renewal of the Municipal Services Special Tax with a CPI adjustment or a four percent increase (whichever is less) and removal of the Sunset Clause.

Frank Ryan, BAFP Chair, presented the BAFP report findings that supported the recommendation by reviewing the history. He noted an improvement in the City's long-term health, the benefits of the Parcel Tax, and reasonable assumptions forecasted for inflation. He relayed that the BAFP's recommendation includes continuing the Parcel Tax at least at the current rate, options for additional revenues, a tax term longer than four years, and City and school district coordination on potentially competing tax measures in the future. In closing, Mr. Ryan thanked the members of the Committee and staff who helped prepare the report.

There was no **Public Comment** received.

Resolution 65-2023

RESOLVED, that the City Council direct staff to return to the November 6, 2023, Council meeting with an item to place a measure on the ballot for the March 5, 2024 election to renew the Parcel Tax for 12 years, and increase it in an amount not to exceed 30 percent to include expansion of 911 dispatch staffing, Information Technology (IT) support for existing Public Safety infrastructure, and eliminating the Paramedic Tax line item, and folding it into the Parcel Tax.

Moved by Andersen, Seconded by McCarthy
Ayes: Andersen, Cavanaugh, McCarthy, Long, Ramsey
Noes: None
(0320, 1030)

A recess took place 8:55-9:00 p.m. Mayor Cavanaugh left the dais and passed the gavel to Vice Mayor Andersen.

**FY 2022-23 Year End
Appropriations and
Carryforwards**

Ms. Bayon Moore stated that this item comes before the City Council annually to report any significant shifts in the End of Year Draft Close-Out, noted additional appropriations were approved by the City Council at the February 6, 2023, meeting, and relayed a recommendation by staff to approve the proposed adjustments to close the books and appropriately account for the required budget adjustments for the fiscal year.

Finance Director Michael Szczech reviewed the net revenue in excess of the budget in most areas after capital transfers for Fiscal Year 2022-23, identified areas that exceeded the budget and warrant an appropriation increase, and requested appropriation increases of \$27,665 for the Public Works Department, \$183,934 for Workers Compensation Insurance, and \$76,093 for General Liability Insurance, totally a net total of \$278,692.

There was no **Public Comment** received.

Resolution 66-2023

RESOLVED, that the City Council approves FY 2022-23 Year End General Fund and other Fund's appropriations as detailed in the staff report.

Moved by McCarthy, Seconded by Ramsey

Ayes: Andersen, McCarthy, Long, Ramsey

Noes: None

Absent: Cavanaugh

(0088)

**FY 2022-23 Year End
Transfers**

Mr. Szczech presented the FY 2022-23 highlights, reviewed the revenues that exceeded the annual budget by \$2.5 million, recent history and monthly trend of Transfer Tax, history of Property Tax, and year over year percent change for Property and Transfer Tax. Additionally, he outlined the FY 2022-23 revenue recap and expenditures, American Rescue Plan Act (ARPA), General Funds Recap, year-end General Fund transfers, Facilities Maintenance Fund FY 2022-23, Facilities Capital Fund FY 2022-23, Equipment Replacement Fund, community pool project, and Trust Funds.

There was no **Public Comment** received.

Resolution 67-2023

RESOLVED, that the City Council approves the FY 2022-23 Year End Transfers from the General Fund of \$1.5 million to the Facilities Capital Fund and \$690,000 to the Equipment Replacement Fund.

Moved by McCarthy, Seconded by Ramsey

Ayes: Andersen, McCarthy, Long, Ramsey

Noes: None

Absent: Cavanaugh

(0165)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember Long provided an update on the Moraga Specific Plan and announced a related community workshop on November 30 at 7 p.m. She announced the "History of Racism and Redlining in Piedmont" presentation hosted by the Piedmont High School Associated Student Body and Piedmont Antiracism and Diversity Committee that was scheduled for October 23 at 6:30 p.m.

Councilmember McCarthy noted three successful Public Safety meetings.

Councilmember Ramsey removed his future agenda item request to discuss the role and priority of the Sustainability Program Manager support position.

Vice Mayor Andersen announced the Octoberfest fundraiser event to be held on the next Sunday in Piedmont Park.

ADJOURNMENT

With no further business, Vice Mayor Andersen adjourned the meeting at 9:32 p.m.