

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, February 6, 2023

A Regular session of the Piedmont City Council were held on February 6, 2023, both in person and via teleconference, in accordance with the provisions of Government Code 54953. In accordance with Government Code Section 54957(b), the agenda for this meeting was posted for public inspection on February 2, 2023.

CALL TO ORDER

Mayor Cavanaugh called the meeting to order at 6:02 p.m. with the Pledge of Allegiance.

ROLL CALL

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

Staff: City Administrator Sara Lillevand, City Attorney Michelle Marchetta Kenyon, Police Chief Jeremy Bowers, Fire Chief Dave Brannigan, Public Works Director Daniel Gonzales, Recreation Director Chelle Putzer, Finance Director Michael Szczech, Deputy City Clerk Lisa Argue, Police Officer Hugo Diaz, Administrative Services Technician II Melisa Morales, and Assistant City Administrator/City Clerk John Tulloch

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

Minutes

Approval of Council Meeting Minutes for 12/19/2022, 01/09/2023, and 1/17/2023

Resolution for Teleconference Meetings

WHEREAS, on October 4, 2021, pursuant to the requirements of Government Code Section 54953(e)(1)(B), the City Council passed Resolution 77-2021, which made the required findings to authorize the use of streamlined notice requirements for teleconference meetings for the City Council and all Commissions, Committees, or advisory bodies of the City of Piedmont; and

WHEREAS, the gubernatorial declaration of a State of Emergency regarding the COVID-19 pandemic remains in place, and COVID-19 continues to threaten the health and lives of Piedmont residents and there is scientific consensus that variants of COVID-19 are highly transmissible in indoor settings; and

WHEREAS, AB 361 requires that every thirty (30) days, the City to reconsider the circumstances of the emergency and review whether it continues to directly impact the ability of the members to meet safely in person, and the circumstances described in Resolution 77-2021 continue to persist;

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

SECTION 2. The City Council desires to continue to meet by teleconference in accordance with Government Code Section 54953(e).

SECTION 3. The City Council has reconsidered the findings made in Resolution 77-2021, and finds that:

- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.

SECTION 4. The City Council reconfirms and incorporates the findings made in Resolution 77-2021 regarding the need for the Council and all Commissions, Committees, or advisory bodies of the City of Piedmont to meet by teleconference.
(0440)

There was no **Public Testimony** received.

Resolution No. 09-2023

RESOLVED, that the City Council approves the Consent Calendar.
Moved by Andersen, Seconded by McCarthy
Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey
Noes: None

CEREMONIAL ITEMS

Mayor Cavanaugh proclaimed February as Black History Month in the City of Piedmont.

Finance Director Michael Szczech introduced new Administrative Services Technician II Melisa Morales. The Council welcomed her to the City of Piedmont.

PUBLIC FORUM

Don Chandler asked the Council to consider a way to reestablish the urgency for an Essential Services Building plan.

REGULAR AGENDA

The Council considered the following items of regular business:

Acceptance of State of California Tobacco Grant

City Administrator Sara Lillevand recommended that the Council accept the California Department of Justice Tobacco Grant in the amount of \$410,117 and approve a Memorandum of Understanding with the California Department of Justice to disburse grant funds to the City.

Police Chief Bowers reviewed the conditions of the grant and the City's application, noting that the funds would be used to support the juvenile liaison officer position in the Police Department and also for the purchase of vaping sensors for use by the Piedmont Unified School District. Chief Bowers noted that the City had applied for \$729,485 in grant funding and was awarded a total of \$410,117 for the fiscal years 2022-2023 through 2025-2026.

He indicated that the juvenile liaison officer position is currently funded by the General Fund and the grant monies would be used to offset the cost of the position. Chief Bowers explained the value of the juvenile liaison officer to the community, police operations, and school district,

Juvenile Liaison Officer Hugo Diaz provided the Council with details on his daily activities and his ongoing interest in parent education.

Public Testimony was received from:

David Gard, Co-President of Piedmont Antiracism and Diversity Committee, reinforced mental health resources included in the grant and expressed an interest in evaluating the success and outcomes of efforts.

Resolution No. 10-2023

WHEREAS, the California Department of Justice Tobacco Grant Program requires that the City Council pass a resolution in order accept grant funding; and

WHEREAS, the City of Piedmont desires to accept the Tobacco Grant Program for grant years 2022, 2023, 2024, 2025, and 2026; and

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. The foregoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The City Administrator is hereby authorized to execute and submit for and on behalf of the City of Piedmont applications and other related documents, including agreements, amendments, extensions, and grant award documents, for the purpose of obtaining grant funding from the California Department of Justice Tobacco Grant Program.

SECTION 3. This authorization shall be in effect for the duration of the FY 2022-23, FY 2023-24, FY 2024-25, and FY 2025-26 grant periods.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

(0045)

**Clean Water
Program Consulting
Services**

Public Works Director Daniel Gonzales provided a brief overview of the consideration of the award of a contract to provide professional services related to the City of Piedmont's Clean Water Program and Municipal Regional Permit compliance to Kimley-Horn in the amount of \$174,913. He clarified that the Municipal Regional Permit (MRP) is the county permit used as a guideline for all municipalities to regulate allowable storm water discharges, the more demanding and restrictive version of MRP 3.0, what is included in the agreement and why it is included, and the annual amount that is twice the previous contract amount and an unfunded mandate.

Marcy Kamerath and Juliana Richards of Kimley-Horn reviewed the re-issuance of the MRP for stormwater, provided an overview, explained MRP 3.0 on-going requirements, noted the Green Infrastructure (GI) numeric target reduction and timeline acceleration, explained the trash reduction requirements and new and notable requirements, and highlighted a road reconstruction project that may require GI, a fiscal analysis, the Stormwater Asset Management Plan, and clean water program priorities.

There was no **Public Testimony** received on this matter.

Resolution No. 11-2023

RESOLVED, that the City Council awards a contract to Kimley-Horn and Associates, Inc. to provide professional services related to the compliance requirements of the Municipal Regional Permit (MRP) for stormwater for a fee not-to-exceed \$ 174,913.

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

2022 Striping Project Mr. Gonzales recommended that the Council award the 2022 Striping Project to Chrisp Company in the amount of \$71,665.50, approve of an Overall Construction Budget of \$89,332.50, and a determine that the project is exempt from the requirements of the California Environmental Quality Act.

Mr. Gonzales provided details on the scope of the project, including work on Moraga Avenue, the intersection of Lincoln and Sheridan Avenues, and La Salle Avenue near Hampton Field. He noted that each of the projects came from resident complaints or observations. The City's internal traffic working group then evaluates and develops a plan for improvements. Mr. Gonzales indicated that the Moraga Avenue striping improvements came from the Piedmont Safer Streets report and satisfy items in the report. He noted a public meeting on December 6, 2022 and having received positive feedback.

City Engineer John Wanger provided an overview of the project plans that addressed the first component in compliance with Piedmont Safer Streets Plan for Moraga Avenue, second portion of improvements on Moraga Avenue, a redefinition of a center line through an s-curve by Hampton Field on La Salle, and better vehicular direction at the intersection of Sheridan and Lincoln Avenues.

There was no **Public Testimony** received on this matter.

Mr. Gonzales relayed that the installation of rumble strips can be added later and after more public discussion and changeable message signboards can be used for public notification.

Resolution No. 12-2023

RESOLVED, that the City Council awards the 2022 Striping Project to Chrisp Company in the amount of \$71,665.50, approves the overall construction budget of \$89,332.50, and a determines that the project is exempt from the requirements of the California Environmental Quality Act, pursuant to CEQA guidelines section 15301(c).

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

**FY 2022-23 Mid-Year
Appropriations and
Fiscal Report**

Finance Director Michael Szczech presented the FY 2022-23 mid-year fiscal report and recommended that the Council approve mid-year general fund appropriations. He reviewed all major revenue streams and expenditure accounts as of December 31, 2022. He noted the projection of General Fund revenue excess of approximately \$2.4 million for the fiscal year ending June 30, 2023 and expenses exceeding the budget by approximately \$550,000 which would result in a net surplus of just under \$2 million for the fiscal year. Mr. Szczech provided details of the projected income and expenses.

Ms. Lillevand indicated that staff will provide an update on the Dispatch Relocation Project or bring an action item for Council at the next appropriate time which she thought would be relatively soon or staff will fold it into a prebudget agenda item.

There was no **Public Testimony** received on this matter.

Resolution No. 13-2023

RESOLVED, that the City Council approves FY 2022-23 mid-year General Fund appropriations of \$100,000 for Fire Department overtime and \$95,000 for Planning & Building Department part-time salaries.

Moved by Andersen, Seconded by Long

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

(0165)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember Ramsey reported that the Recreation Commission would be considering a full-time trial of pickleball play at the Beach Courts for five months and will solicit community input using an online survey. He also suggested a future agenda item to address facility upgrade projects.

Councilmember Long reported the issuance of a request for proposals (RFP) for the Moraga Canyon Specific Plan.

Councilmember McCarthy announced that Linda Park is available for community use and complimented Parks and Project Manager Nancy Kent for her efforts that resulted in the City receiving project funding. She suggested that community members visit the Public Works page of the City website for updates on when the off-leash dog park will reopen. She also announced Arbor Day on April 27 and that Heritage Tree applications can be found on the City website and are due by March 17.

Vice Mayor Andersen announced the upcoming meetings of the Budget Advisory and Financial Planning Committee and City/School Liaison Committee. She also announced upcoming events from the League of Women Voters and Piedmont Asian American Club.

Mayor Cavanaugh announced a grant funding opportunity with StopWaste, recognized volunteer opportunities forthcoming and recruitment efforts, and suggested a future agenda item to receive an update on how the City is meeting the requirements of Assembly Bill (AB) 2404.

ADJOURNMENT

There being no further business, Mayor Cavanaugh adjourned the meeting at 9:30 p.m. in memory of Cross Creason and Janet Abelson.