

## PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Tuesday, September 16, 2024

A Special and Regular Session of the Piedmont City Council in the City Hall Council Chambers, 120 Vista Avenue, was held on September 16, 2024. In accordance with Government Code Section 54954.2, the agenda for this meeting was posted for public inspection on September 12, 2024.

**CALL TO ORDER** Mayor Cavanaugh called the Regular Session meeting to order at 6:00 p.m. with the Pledge of Allegiance and announced 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, Fire Chief Dave Brannigan, Recreation Director Chelle Putzer, Aquatics Supervisor Paula Cooper-Tipton, Finance Director Michael Szczech, Public Works Director Daniel Gonzales, Police Chief Jeremy Bowers, and City Clerk Anna Brown

**PUBLIC FORUM** There was no **Public Comment** received.

**CEREMONIAL** Recreation Director Chelle Putzer introduced the new Aquatics Supervisor, Paula Cooper-Tipton, who expressed her appreciation for community support now and in the future.

Mayor Cavanaugh read a proclamation to recognize Disaster Preparedness Month. Fire Chief Dave Brannigan noted the ongoing need for preparedness, a contest for AC Alert sign-ups, and related Council agenda items.

**CONSENT CALENDAR** The Consent Calendar consisted of the following items:

**Meeting Minutes** Approval of the Minutes for the City Council Meetings of 09/03/2024

**Second Reading of Ordinance 775 N.S.** Approval of the Second Reading of Ordinance 775 N.S – Building Code Revisions and Revised Findings (0705)

**Crocker Park Pathway Renovation Project** WHEREAS, at the February 20, 2024, City Council meeting, the City Council approved an overall budget for the Crocker Park Pathway Renovation Project (Project) and authorized the award of the construction project to South Bay Grading; and

WHEREAS, the Project has been inspected and determined to have been completed in accordance with the contract requirements; and

WHEREAS, based upon the foregoing, staff recommends acceptance of the Project on behalf of the City.

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

1. The improvements associated with the Crocker Park Pathway Renovation 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.

(0045)

**Sanitary Sewer  
Rehabilitation and  
Storm Sewer  
Replacement Project  
Consultant Contract  
Second Amendment**

Approval of Second Amendment to the City's Agreement with Coastland Engineering LLP to Increase the Contract Not-To-Exceed Amount by \$140,343 for the Sanitary Sewer Rehabilitation and Storm Sewer Replacement Project, And Approval of an Amended Overall Contract Amount of \$843,882  
(0045)

There was no **Public Comment** received.

**Resolution 51-2024**

RESOLVED, that the City Council approves the Consent Calendar Items 1-4.

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:

**Piedmont Community  
Pool Project**

Public Works Director Daniel Gonzales and George Sanen, Project Executive from Griffin Structures, provided a progress update on the Piedmont Community Pool Project and reviewed power at the facility by October 28, plans to avoid a day-to-day delay, sheet rocking, plumbing, sidewalks, and exterior finishes. It was noted that 76-78 percent of the project is complete, the approach to managing the upcoming wet weather, and warranties to consider. They responded to questions from Council.

The Council expressed concern for risk mitigation and a management strategy and the pros/cons to following Mountain View's approach and inquired about communication with the Piedmont Unified School District related to the shared roadway and the neighbors. In response, City Administrator Rosanna Bayon Moore proposed that the monthly report include a risk management strategy and timeline.

There was no **Public Comment** received.

(0270-1022)

**Fiscal Year 2023-24  
Unaudited Financial  
Results**

Finance Director Michael Szczech presented the fiscal year 2023-24 unaudited financial results. He began by reviewing the fiscal year 2023-24 highlights, recent history and monthly trend of Transfer Tax, history of Property Tax, volatile chart year over year percent change in Property and Transfer Tax, and fiscal year 2023-24 revenue recap. Mr. Szczech then reviewed the fiscal year 2023-24 expenditures and recap chart, American Rescue Plan Act (ARPA), General Fund recap, Equipment Replacement Fund, Facilities Maintenance Fund fiscal year 2023-24, Facilities Capital Fund fiscal year 2023-24, and Trust Funds.

There was no **Public Comment** received.

(0165)

**Fiscal Year 2023-24  
Year End  
Appropriations**

Mr. Szczech recapped the favorable revenue trends and lower than budgeted expenses that resulted in a net income after capital transfers, lower than budgeted departmental expenses and exceeding non-departmental expenses, and reasons for exceeding workers compensation and insurance, administration department, and City engineer service account expenses as compared to the budget. He outlined the fiscal year 2023-24-year end appropriation requested amounts.

There was no **Public Comment** received.

**Resolution 52-2024**

RESOLVED, that City Council approves the Fiscal Year 2023-24 year-end General Fund and Other Funds appropriations.

Moved by Andersen, Seconded by Long

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

Abstain: None

Absent: None

(0088)

**Local Hazard  
Mitigation Plan  
Project Consulting  
Services**

Chief Brannigan asked the Council to approve an agreement with Foster Morrison Consulting for professional consulting services for the City of Piedmont Local Hazard Mitigation Plan (LHMP) Project in the amount of \$144,863. He explained that a LHMP is required to qualify for Federal Emergency Management Agency (FEMA) mitigation grant programs, the development and adoption process of a LHMP, grant funding awarded to the City in November for this project, six qualified firms who responded to a request for proposal, and the top scoring firm Foster Morrison Consulting. Chief Brannigan stated that the adoption process will take the better part of a year and the LHMP will be part of the City's General Plan in the Safety Element. He noted staff and community involvement and forthcoming community engagement.

Janine Foster of Foster Morrison provided additional comments and responded to questions from the Council.

There was no **Public Comment** received.

**Resolution 53-2024**

RESOLVED, that the City Council approves an award of Contract to Foster Morrison Consulting for Professional Consulting Services for the City of Piedmont Local Hazard Mitigation Plan Project in the Amount of \$144,863.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, and Ramsey  
Abstain: None  
Absent: None  
(0045)

**Disaster Preparedness Consulting Services** Chief Brannigan asked the Council to approve an agreement with KJ Consultants, Inc. for disaster preparedness consulting services in an Amount Not to Exceed \$79,900 and authorization of the City Administrator to execute related contract documents. He recapped training and exercises in 2022 to prepare the public and staff for evacuation due to wildfire and the three main objectives, updates the City's Emergency Operations Plan, and a recent community survey. The Fire Chief detailed the next steps to incorporate the learned ideas and survey feedback and a request for qualifications to conduct professional services for another exercise to identify how to best reach the public and make the content relevant and actionable. Chief Brannigan stated that KJ Consultants was the top scoring firm and selected.

There was no **Public Comment** received.

**Resolution 54-2024**

RESOLVED, that the City Council approves an agreement with KJ Consultants, Inc. for Disaster Preparedness Consulting Services in an amount not to exceed \$79,900 and authorization of the City Administrator to execute related contract documents.

Moved by McCarthy, Seconded by Andersen

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

Abstain: None

Absent: None

(0045)

**CalPERS Waiting Period for a Retired Annuitant and Police Department Special Assistance Employment Agreement**

Consideration of Approval of an Exception to the 180-Day California Employees' Retirement System (CalPERS) Waiting Period for a Retired Annuitant Under Government Code Section 7522.56 and 21224 and Authorization to Execute an Employment Agreement with Lisa Douglas to Fill a Critical Need in the Police Department Providing Special Assistance to the Chief of Police for the Dispatch Renovation Project

There was no staff report or **Public Comment** received.

**Resolution 55-2024**

RESOLVED, WHEREAS, in compliance with Government Code section 7522.56 the City of Piedmont (the "City") must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Lisa Douglas, will retire from the City in the position of Support Services Commander, effective December 2, 2024; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is May 31, 2025, without this certification resolution; and

WHEREAS, section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the City Council, the City, and Lisa Douglas certify that Lisa Douglas has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City Council hereby appoints Lisa Douglas as a retired annuitant extra help position for the critical need of providing special assistance to the Chief of Police with the construction of a public safety dispatch center for the City under Government Code section 21224, effective December 9, 2024; and

WHEREAS, the entire employment agreement between Lisa Douglas and the City has been reviewed by City Council; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year for all CalPERS employers; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, Douglas will be performing comparable duties as the Support Services Commander; and

WHEREAS, the maximum base salary for this position is \$15,444.00 per month and the hourly equivalent is \$89.10, and the minimum base salary for this position is \$12,705.00 per month and the hourly equivalent is \$73.30; and

WHEREAS, the hourly rate paid to Lisa Douglas will be \$89.10; and

WHEREAS, Lisa Douglas has not and will not receive from the City any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Piedmont does hereby resolve, declare, determine and order as follows:

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

2.The nature of the appointment of Lisa Douglas as described herein and detailed in the employment agreement as a retired annuitant extra help position for the critical need of providing special assistance to the Chief of Police to temporarily manage the City's construction of a public safety dispatch center for the City beginning December 9, 2024.

3.The City Administrator is authorized to enter into the retired annuitant employment agreement with Lisa Douglas.

Moved by McCarthy, Seconded by Long

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

Abstain: None  
Absent: None  
(0045)

**REPORTS AND  
ANNOUNCEMENTS**

Councilmember Long announced that the Planning and Sustainability divisions will be hosting information tables at the Harvest Festival on September 22 and a special Planning Commission meeting on September 23, at 5:30 p.m. to review multiple chapters of the Moraga Canyon Specific Plan draft.

Councilmember McCarthy announced that the Parks Commission meeting will be on October 10 and the Coffee, Cops, and Cars event on September 21 in Piedmont Park.

Councilmember Ramsey announced the New Family's Night gathering on September 20, from 5:30 - 6:30 p.m. followed by a Movie in the Park and taco truck, and Harvest Festival on September 22.

Vice Mayor Andersen announced Octoberfest at the Center for the Arts on October 18 and Piedmont Sports Boosters' Octoberfest fundraiser in Piedmont Park on October 5. She asked staff to look at the status of park signage and noted an update needed in Crocker Park.

**ADJOURNMENT**

With no further business, Mayor Cavanaugh adjourned the meeting at 8:58 p.m.