

PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Monday, October 21, 2024

A Special and Regular Session of the Piedmont City Council in the City Hall Council Chambers, 120 Vista Avenue, was held on October 21, 2024. In accordance with Government Code Section 54954.2, the agenda for this meeting was posted for public inspection on October 17, 2024.

CALL TO ORDER

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

Absent: Mayor Jennifer Cavanaugh

Staff Present: City Administrator Rosanna Bayon Moore, Assistant City Attorney Deepa Sharma, Recreation Director Chelle Putzer, Planning and Building Director Kevin Jackson, Fire Chief Dave Brannigan, Assistant Planner Gopika Nair, Communications Program Manager Echa Schneider, and City Clerk Anna Brown

PUBLIC FORUM

Public Comment was received from:

Dimitri Magganas thanked Mayor Cavanaugh for her many years of service and Councilmember McCarthy.

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

Memorandum of Understanding for ReddiNet Utilization

Approval of a Memorandum of Understanding (MOU) for ReddiNet Utilization Between the County of Alameda on behalf of its Alameda County Emergency Medical Services Agency, and the City of Piedmont (0045)

Amendments to the 2024/2025 City of Piedmont Schedule of Fees and Changes

Approval of Amendments to the 2024/2025 City of Piedmont Schedule of Fees and Charges to Include Fees for AB 1332 Entitlement Applications and Applications for Determination of City Jurisdiction

WHEREAS, approximately 172 properties located along the border of Piedmont and Oakland fall within the jurisdiction of both Piedmont and Oakland, creating challenges to property owners who pursue planning and building permits for construction; and

WHEREAS, Assembly Bill 1332, related to accessory dwelling unit approvals, was signed into law by the Governor on October 11, 2023; and

WHEREAS, the language of the Assembly Bill 1332 requires local jurisdictions, like Piedmont, to preapprove accessory dwelling units plans and elevations put forward by members of the public with the intent to make them commercially available; and

WHEREAS, on June 17, 2024, the City Council adopted the 2024/2025 Schedule of Fees and Charges, which did not include fees for an application type required by AB 1332 nor an application type to request a determination by the City of Piedmont of the jurisdiction of planning and construction

projects on properties that are partially within Piedmont and partially within Oakland city boundaries; and

WHEREAS, given the time and effort required by Piedmont staff to process amendments to the Zoning Ordinance and Design Standards and Guidelines and to process requests for determination of jurisdiction, the fees are in line with existing processing charges and do not exceed the estimated reasonable cost of providing the service for which the fee is charged.

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 following fees are added to the City of Piedmont 2024/2025 Schedule of Fees and Charges: 1. \$7,986 for an application for AB 1332 Zoning Ordinance Amendment and/or Design Standards and Guidelines Amendment. 2. \$2,000 for an application for Jurisdictional Determination, including associated memorandum of agreement with the City of Oakland.

SECTION 2. The Finance Director is hereby directed to codify these fees in the Schedule of Fees and Charges. Resolution No. 59-2024 Page 2

SECTION 3. The City Council finds that above fees for processing AB 1332 related applications and letters of jurisdictional determination do not exceed the estimated reasonable cost of providing the service for which the fee is charged.
(0465)

There was no **Public Comment** received.

Resolution 59-2024

RESOLVED, that the City Council approves the Consent Calendar.

Moved by McCarthy, Seconded by Long

Ayes: Andersen, Long, McCarthy, and Ramsey

Abstain: None

Absent: Cavanaugh

REGULAR AGENDA

The Council considered the following items of regular business:

**Contract Amendment
with JZMK Partners
for Services Related to
the Moraga Canyon
Specific Plan
Preparation**

Planning and Building Director Kevin Jackson presented to the Council a consideration of approval of a contract amendment with JZMK Partners for services related to the preparation of the Moraga Canyon Specific Plan in the amount of \$79,377 that will amend the scope of work to add public meetings and supplemental environmental analysis. He indicated that a schedule of public meetings and study sessions have been prepared and noted that funds in the Moraga Canyon Specific Plan and Environmental Review expense accounts could afford the increased costs for an environmental review analysis related to cultural resources.

Andrew Watkins of JZMK and John Moreland and Nichole Jordan of Rincon were present and responded to questions from Council.

There was no **Public Comment** received.

Resolution 60-2024

RESOLVED, that the City Council approves a Contract Amendment with JZMK Partners for Services Related to the Preparation of a Moraga Canyon Specific Plan in the Amount of \$79,377 to Amend the Scope of Work to Add Public Meetings and Supplemental Environmental Analysis
Moved by McCarthy, Seconded by Ramsey
Ayes: Andersen, Long, McCarthy, and Ramsey
Abstain: None
Absent: Cavanaugh
(0045)

Councilmember McCarthy left the meeting before Item 4.

**City Code Chapter 17
Revisions and
Piedmont Design
Standards and
Guidelines for
Wireless
Communication
Facilities**

Mr. Jackson introduced the study session for proposed revisions to City Code Chapter 17 and the Piedmont Design Standards and Guidelines related to Wireless Communication Facilities. He noted that the amendments are from Federal regulations and State law regarding Shot Clocks, local authority to approve wireless communication facilities, and installation incentives.

Associate Planner Gopika Nair presented background on the reasons the code and design standards are being updated, regulations being implemented, code changes, Shot Clock limitations, the proposed permit process inside and outside the public right-of-way, new sections in the code changes, design standards and guidelines located in and out of the public right-of-way, an example of a stealth design in the R.O.W. and wireless facilities on private property that are shielded and concealed from public view, and additional Chapter 8 inclusions. Staff requested feedback from the Council regarding the batch processing standards, stealth design standards, proposed changes to the permitting process, and changes to the appeal process. In closing, she reviewed the next steps.

There was no **Public Comment** received.

This was a Study Session, no action was required, and the Council directed staff to investigate options to provide more notice to neighbors on this and other ministerial matters and follow up and due diligence on if the design guidelines can include site distance from the dwelling.

(1127)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember Long announced a Planning Commission special meeting on October 28 to consider applications for an electric vehicle (EV) station at 29 Wildwood Avenue.

Councilmember Ramsey announced an adult recreation expo on November 17 hosted by the Recreation Commission.

Vice Mayor Andersen announced the Move Your Feet Before You East Turkey Trot registration and Lights Up on December 4 at 6 p.m. in Piedmont Park.

ADJOURNMENT

With no further business, Vice Mayor Andersen adjourned the meeting at 7:17 p.m.