

## PIEDMONT CITY COUNCIL

Special and Regular Meeting Minutes for Tuesday, February 21, 2023

Special and Regular Sessions of the Piedmont City Council were held on February 21, 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 16, 2023.

**CALL TO ORDER** Mayor Cavanaugh called the meeting to order at 6:01 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, Director of Planning and Building Kevin Jackson, Recreation Director Chelle Putzer, Finance Director Michael Szczech, Sustainability Programs Manager Alyssa Dykman, and Assistant City Administrator/City Clerk John Tulloch

**PUBLIC FORUM** Don Chandler questioned the design management process for upgrading Essential Services Buildings and recommended a top-down management process.

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

**Terminating the  
Local Emergency  
Due to Winter  
Storms**

WHEREAS, pursuant to Government Code section 8630 and Chapter 5 et seq. of the Piedmont City Code, the Director of Emergency Services proclaimed the existence of a local emergency due to winter storms on January 4, 2023; and

WHEREAS, at its regular meeting on January 9, 2023, the City Council ratified the proclamation of local emergency through the passage of Resolution 01-2023; and

WHEREAS, the winter storms have passed and an assessment of the damage has been completed, there is no need at this time for the existence of a local emergency;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby terminates the local emergency due to winter storms which was proclaimed by the Director of Emergency Services on January 4, 2023 and ratified by the City Council on January 9, 2023.

(0440)

**Budget Advisory  
and Financial  
Planning  
Committee Terms**

WHEREAS, the City Council established a temporary Budget Advisory and Financial Planning Committee in 2012 and made the committee permanent in 2014; and

WHEREAS, the purpose of the Budget Advisory and Financial Planning Committee is to help review and project the financial needs of the City; and

WHEREAS, the Budget Advisory and Financial Planning Committee has provided advice and insights that have proven invaluable to the City's financial planning and budgeting process; and

WHEREAS, the Committee has proven its value as an on-going advisory body to the City Council in matters relating to budget and finance; and

WHEREAS, many residents of Piedmont work in varied and diverse professional fields, including the financial industry, and have a long history of willingness to share their expertise in service to the City; and

WHEREAS, the City Council now wishes to change the start and end dates of terms for the Budget Advisory and Financial Planning Committee in order to align with the fiscal calendar, and to extend the terms of currently serving members to reflect the new term expiration date;

WHEREAS, the City Council wishes to rescind and supersede Resolution 120-14 with this Resolution;

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 Budget Advisory and Financial Planning Committee is hereby established as a permanent standing committee of the City of Piedmont.

SECTION 2. The Committee shall be charged with the following duties:

- a) Review the financial projections prepared for the City's Annual Budget and provide comment on whether they provide for the long term sustainable financial future of the City. This review shall take place between the preparation of the budget in April and its approval by the City Council in June of each year.
- b) Review and provide comment on the Mid-Year Budget Reports.
- c) Provide a financial review of any new program commitments and funding sources in excess of \$250,000 in any fiscal year.
- d) Periodically review and comment on the sufficiency of funding for long term obligations, including the Sewer Fund, Equipment Replacement Fund, Facilities Maintenance Fund and the City's pension and retiree healthcare costs and funding.
- e) Periodically examine the need for the Municipal Services Special Tax (Parcel Tax) and recommend whether this tax should be continued, and if so, at what rate. This charge shall be accomplished not later than eighteen (18) months prior to the expiration of the tax as set forth in Chapter 20B of the City Code.
- f) The Committee may propose additional financial areas of study, which must be approved by the City Council prior to being taken up by the Committee. In addition, the Council may assign additional areas of study to the Committee.

SECTION 3. The Budget Advisory and Financial Planning Committee shall be comprised of seven voting members and one alternate member, each of whom shall be residents of Piedmont. The alternate member shall be entitled to attend and take part in Committee discussion but shall not vote except in the absence of one or more Committee members.

SECTION 4. Members of the Budget Advisory and Financial Planning Committee appointed by the City Council shall be appointed to three-year terms

and may serve a maximum of two consecutive terms. Any person who serves as a member of the Committee for more than eighteen (18) months of an unexpired term shall be considered to have served a full term of office. Terms shall begin on July 1st and expire on June 30th.

SECTION 5. The expiration date of the terms of Committee members serving at the time of the adoption of this resolution are extended from March 31st to June 30th of the respective year they were set to expire.

SECTION 6. The Budget Advisory and Financial Planning Committee shall annually elect one of its voting members to serve as Chair.

SECTION 7. The Committee shall comply with the Ralph M. Brown Act (Government Code §54950 et seq.) including, but not limited to notice, agenda posting, and public participation requirements.

SECTION 8. The Committee is an advisory body to the City Council and is not an independent decision-making body. All of its recommendations are subject to review and approval of the City Council.

SECTION 9. Resolution 120-14 is hereby rescinded and superseded.  
(0320)

There was no **Public Testimony** received.

**Resolution No. 14-2023**

RESOLVED, that the City Council approves the Consent Calendar.

Moved by Andersen, Seconded by McCarthy

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

**REGULAR AGENDA**

The Council considered the following items of regular business:

**Appointment of City Administrator**

Mayor Cavanaugh announced that, after a thorough recruitment, the City Council had selected Rosanna Bayon Moore as the City of Piedmont's next City Administrator. She acknowledged the work of the City Council and department heads to get to this point.

City Attorney Michelle Marchetta Kenyon summarized the proposed employment terms and recommended that the Council adopt a resolution appointing Rosanna Bayon Moore as City Administrator and approving the employment agreement for Ms. Bayon Moore. She reviewed Ms. Moore's professional and educational background, noted her employment agreement start date of April 6, 2023, and summarized the recommended summary of the final action on the salary, salary schedule and fringe benefit compensation as per Government Code 54953(C)(3).

**Public Testimony** was received from:

Andrew Backer who expressed appreciation for Ms. Bayon Moore's work and the opportunities she brings to all who work with her.

Ms. Bayon Moore expressed her excitement to work with the City of Piedmont and learn more about the community, her hopeful and optimistic spirit, and gratitude for opportunity and leadership.

Mayor Cavanaugh thanked Gary Phillips, the City Attorney, and Ms. Bayon Moore and expressed being hopeful and optimistic.

**Resolution No. 15-2023**

WHEREAS, the City of Piedmont (“City”) has a need to hire a City Administrator; and

WHEREAS, Rosanna Bayon Moore possesses the skills and expertise necessary to perform these services; and

WHEREAS, the City desires to enter into an Employment Agreement to set forth the terms and conditions of Ms. Bayon Moore’s employment;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Piedmont hereby appoints Rosanna Bayon Moore as City Administrator and approves the City Administrator Employment Agreement between the City of Piedmont and Rosanna Bayon Moore, in substantially the same form attached hereto as Exhibit “A” and authorizes and directs the Mayor to execute same for and on behalf of the City of Piedmont.

Moved by Andersen, Seconded by Ramsey

Ayes: Andersen, Cavanaugh, Long, McCarthy, Ramsey

Noes: None

(0045)

Councilmember Long announced that she had to leave the meeting.

**6<sup>th</sup> Cycle Housing  
Element Update**

Director of Planning and Building Kevin Jackson provided an update on the 6<sup>th</sup> Cycle (2023-2031) Housing Element and announced that on February 16<sup>th</sup>, the California Department of Housing and Community Development (HCD) informed the City of the results of the review of the draft Housing Element and provided approximately than thirty items would need to be addressed to bring the document into compliance with state law.

Mr. Jackson indicated that most of the items are technical revisions seeking additional analysis to support several findings and proposals and clarifications and/or adjustments to timelines for the implementation of several proposed programs. He noted that HCD did not identify any major structural issues or call for significant redirection of the City’s plans, the revisions are consistent with the technical revisions HCD is seeking from nearly every city in the region, and that the City is nearing the finish line of adopting the Housing Element. Mr. Jackson indicated that planning staff and Lisa Wise Consulting are reviewing the comments and will work with HCD to complete the requested revisions and provide a revised draft Housing Element for adoption consideration to the City Council in March and to HCD for a second 60-day review.

In response to Councilmembers’ questions, Mr. Jackson discussed what would constitute major structural issues, HCD comments, the James R. Boyce Affordable Housing Competition Studio, and the Environmental Impact Report (EIR).

**Public Testimony** was received from the following:

Deborah Leland, Moira Chapman, and Carol Galante indicated that HCD’s comments appeared to be more substantive than indicated by the

City. They noted the level of racial and economic disparities and remedies and available resources for low-income populations. Speakers also questioned the City's ability to provide the information requested, and feared a change to the programmatic approach.  
(0515)

**Formation of  
Temporary Climate  
Action Advisory  
Committee**

Ms. Lillevand introduced an item to form a temporary Climate Action Advisory Committee. She highlighted the Council's focus on and support of efforts to make Piedmont more sustainable with the creation of the Sustainability Programs Manager position and an all-electric aquatic facility project, among others. She relayed the challenges of converting the remaining building stock to electricity and noted it as the most pressing and potentially impactful and difficult task in the implementation of the Climate Action Plan. Ms. Lillevand emphasized a focus on implementation and recommended the formation of a temporary Climate Action Advisory Committee to advise and help guide the development and implementation of the existing building electrification strategy so that it is easier and more accessible for residents to reduce greenhouse gas emissions in their homes.

Sustainability Programs Manager Alyssa Dykman explained that the intention of the proposed committee would be to work towards building electrification and reducing greenhouse gas emissions through the development of an existing building electrification strategy. She relayed a possible phased approach of policies, programs, financing options and mechanisms, and the need for community engagement and outreach. She noted the importance of gaining an understanding of the needs and priorities of Piedmonters, impact to residents, and community support to help deliver the changes.

The Council asked questions about the proposed Committee composition, duration, structure, priorities, concerns/efforts for diversity, and policy development.

**Public Testimony** was received from the following:

Moiria Chapman and Hope Salzer supported the creation of a Sustainability Committee, recognized opportunities for improvement and collaboration, and suggested a geographic approach to a diversified Committee composition.

The Council discussed the idea of a body to support the City's sustainability work at length. The Council also stressed the importance of all aspects of diversity in the membership of the body. The Council discussed the possible work of the body including community outreach, education, and support. The City Attorney clarified the difference between a Council appointed body and a City Administrator appointed body. The Council supported the City Administrator appointment concept and determined that a task force should have a narrow focus and work product goal, and focusing its work on the development of an implementation strategy for building electrification with focus on implementation tools as opposed to new policies.

**Resolution No. 16-2023**

RESOLVED, that the City Council directs the City Administrator to empanel and oversee a task force to develop and implement a strategic

plan on existing building electrification, providing information to the community during the process and a final report at its conclusion;

BE IT FURTHER RESOLVED that the City Administrator is directed to determine the appropriate number of members for the body and ensure the task force is diverse.

Moved by Cavanaugh, Seconded by Ramsey

Ayes: Andersen, Cavanaugh, McCarthy, Ramsey

Absent: Long

Noes: None

(0320)

## **REPORTS AND ANNOUNCEMENTS**

Councilmember Ramsey announced the upcoming trial of full time pickleball play at the Beach Courts, the release of the Recreation Department summer 2023 Activity Guide and upcoming registration for these programs.

Vice Mayor Andersen reported on the recent meeting of the City/School Liaison Committee, the Budget Advisory and Financial Planning Committee meeting, and an upcoming webinar on vehicle electrification. She also announced an upcoming event hosted by the League of Women Voters.

Mayor Cavanaugh announced the availability of federal assistance for storm damage. She also thanked Vice Mayor Andersen for joining her on a City-wide tour with a representative from Congress Barbara Lee's office. She also announced an upcoming Community Safety Meeting in the high school theater on March 15 from 6 – 7:30 p.m.

## **ADJOURNMENT**

The City Council adjourned to Closed Session to discuss Public Employee Performance Evaluation of the City Attorney pursuant to Government Code §54957 (b)(1)) at 7:52 p.m. The Council briefly returned to open session, announced no reportable action and adjourned at 8:18 p.m.