

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Tuesday, February 20, 2007

A Regular Session of the Piedmont City Council was held February 20, 2007, in the City Hall Council Chambers at 120 Vista Avenue. In accordance with Government Code Section 54954.2(a) the agenda for this meeting was posted for public inspection on February 15, 2007.

CALL TO ORDER

Mayor McEnroe called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

ROLL CALL

Present: Mayor Nancy McEnroe, Vice Mayor Abe Friedman and Councilmembers Dean Barbieri and Garrett Keating

Absent: Councilmember John Chiang

Staff: City Administrator Geoff Grote, City Attorney George Peyton, Public Works Director Larry Rosenberg, Recreation Director Mark Delventhal, City Planner Kate Black and Recording Secretary Chris Harbert

CONSENT CALENDAR

The following items were considered under one vote by the Council:

Minutes

Approves as amended Council meeting minutes of February 5, 2007

Ordinance

Approves the first reading of Ordinance 668 N.S. implementing a use agreement with Piedmont Choirs for office space in the Veterans' Hall for the period from January 1, 2007 through December 31, 2010.

Resolution 15-07

RESOLVED, that the City Council adopts the consent calendar as noted.

Moved by Friedman, Seconded by Barbieri

Ayes: McEnroe, Friedman, Barbieri, Keating

Noes: None

Absent: Chiang

(0705)

PUBLIC FORUM

Marian Keyworth, Stephen Block, Ren Babington, Bill Cumbelich and Denny McLeod all urged property owners and the City Council to continue to support the formation of utility undergrounding districts in Piedmont, stressing that such districts improve public safety and community aesthetics. They also requested that the Council relax its current 70% threshold percentage for property owner support necessary to obtain Council approval of district formations, believing that such a super-majority requirement is unfair. Mr. McLeod read a prepared statement setting forth the benefits of the proposed Central Piedmont Utility Undergrounding Assessment District and urged property owner and Council support of this project on March 5.

REGULAR CALENDAR

The Council considered the following items of regular business:

Agreement

The Public Works Director recommended Council approval of a proposed agreement with Harris & Associates for the provision of

professional engineering services. He stated that five engineering firms responded to the City's December 2005 "Request for Proposal for Engineering Services" and that Harris & Associates' hourly rates and services were within the median of all the submitted proposals. All five engineering firms were extensively interviewed and evaluated and it was the unanimous recommendation of the interviewing team that Harris & Associates be awarded the contract. The proposed contract is for two years, with two one-year renewal options. Harris & Associates has served as the City's Consulting Engineer since 1984. The Director added that the delay in submitting this recommendation was due to the fact that Vern Phillips who served as City Engineer under the previous contract was transferred out of state and City staff wanted time to evaluate his replacement (Russ Moore) before finalizing its recommendation. City staff is very satisfied with the performance and qualifications of Mr. Moore.

Public testimony was received from:

George Kersh felt that contractor selection in this case was a "done deal" because of Mr. Moore's trial period and as a result, unfair to the other bidders.

At the request of the Mayor, the Director agreed to provide the Council with the total City Engineer costs for 2006 – both general City engineering costs and sewer rehabilitation design costs.

Resolution 16-07

RESOLVED, that the City Council approves the proposed agreement with Harris & Associates for the provision of professional engineering services, as on file in the City Clerk's office.

Moved by Friedman, Seconded by Barbieri

Ayes: McEnroe, Friedman, Barbieri, Keating

Noes: None

Absent: Chiang

(0045)

Ordinance

The City Attorney recommended first reading approval of proposed Ordinance 669 N.S. amending various sections of the City Code to provide protection for the City against the expenses and liability relating to CEQA litigation. The ordinance is based on a format used by more and more cities and it specifically makes "defense, indemnification and hold harmless" a condition to approval of planning, wireless communications facility and subdivision applications where CEQA litigation would mostly likely arise.

Public testimony was received from:

George Kersh voiced concern that the proposed ordinance will place the burden of liability on residents/property owners rather than the City in instances involving CEQA overviews.

The Council supported the ordinance in concept, requesting that several "editing" changes be incorporated into the next draft prior to second reading consideration.

Resolution 17-07

RESOLVED, that the City Council approves the first reading of Ordinance 669 N.S. relating to indemnification of the City involving CEQA litigation.

Moved by Friedman, Seconded by Barbieri

Ayes: McEnroe, Friedman, Barbieri, Keating

Noes: None

Absent: Chiang
(0705)

ANNOUNCEMENTS

Civic Center Master Plan – The Vice Mayor reported on last week’s first in a series of public meetings regarding the development of a Civic Center Master Plan. A follow-up workshop intended to develop conceptual design schemes has been scheduled for February 26. He urged residents to participate in the Master Plan process, noting that information regarding this issue can be obtained on the City’s website or at City Hall. Councilmember Keating noted that the Planning Commission has voiced interest in having a liaison appointment to the Civic Center Steering Committee so as to better coordinate its General Plan Update process with the Civic Center Master Plan. This issue/request will be considered by the Steering Committee.

PHS Sports—Councilmember Barbieri wished the PHS Boys and Girls Basketball Teams and Soccer Teams good luck in this week’s North Coast Sectional Play-Offs.

Commission Vacancies – The City Administrator encouraged residents to apply for appointment to the vacancies on all City commissions and the Municipal Tax Review Committee.

Thank You—Councilmember Keating thanked retiring Planning Commissioners Arleta Chang and Tam Hege for their outstanding years of service on the Commission.

ADJOURNMENT

There being no further business, Mayor McEnroe adjourned the meeting at 8:30 p.m.