

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, June 16, 2008

A Regular Session of the Piedmont City Council was held June 16, 2008, 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 June 12, 2008.

CALL TO ORDER Following a 7:00 p.m. Closed Session regarding employee contract negotiations with the Piedmont Police Officers Association, International Association of Firefighters, Local 1021 and the Confidential Unit Employees, Mayor Friedman called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

ROLL CALL Present: Mayor Abe Friedman, Vice Mayor Dean Barbieri and Councilmembers John Chiang, Margaret Fujioka and Garrett Keating

Staff: City Administrator Geoff Grote, City Attorney George Peyton, Fire Chief John Speakman, Police Chief Lisa Ravazza, Finance Director Mark Bichsel, Public Works Director Larry Rosenberg, Recreation Director Mark Delventhal, City Clerk Ann Swift, City Planner Kate Black, Assistant Planner Kevin Jackson, Planning Technician Sylvia Toruno, Building Official Chester Nakahara and Recording Secretary Chris Harbert

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

- Minutes** Approves as submitted Council meeting minutes of May 19 and June 2, 2008
- Ordinance** Approves the second reading of Ordinance 678 N.S. replacing Chapter 9 of the City Code in its entirety to implement provisions of the City's new garage franchise agreement
- Ordinance** Approves the second reading of Ordinance 679 N.S. amending Chapter 17D of the City Code regarding second units
- Agreement** Renews the City's Certification and Indemnification Agreement with Alameda County regarding the collection of taxes
- Gift** Accepts a \$2,000 donation from the trustees of the Helen C. Connell Trust for the purchase of a dog safety vest and appropriates said amount to the Police Department Canine Account (#101-0408-051-003) as a year-end adjustment to the Police Department's FY 07-08 budget
- Lawsuit** Accepts a check in the amount of \$4,329.79 from the Microsoft-California Entities Settlement and appropriates said amount to the Information Services/Hardware Account
- Salaries** Approves a 3-year Memorandum of Understanding with the Confidential Unit Employee Group granting 17-18.2% increases in

salary and instituting cost sharing for medical insurance premiums for the period January 1, 2008 through December 31, 2010

Resolution

Adopts a Resolution on file in the City Clerk's Office supporting the activities of the PHS Wellness Center and urging financial support for the program by Alameda County

Prior to the vote on the consent calendar, George Kersh voiced his objection to the amount of increase in salary and benefits given to the Confidential Unit Employee Group.

Resolution 49-08

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

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(Note: Councilmember Keating abstained from the vote approving the June 2 meeting minutes)

(0705; 0705 ;0045; 0520/X0088; 0088; 0910; 0765)

REPORT

Brooke Zimmerman, PUSD Director of Student Services, thanked the Council for its *consent calendar* support of the School District's request that Alameda County continue to provide grant funding to the PHS Wellness Center. She briefly summarized the various services and assistance the Wellness Center provides to Piedmont high school students in terms of mental health counseling and health education. The Mayor requested the City Clerk to prepare a cover letter to Alameda County reiterating the City's support for continued funding of the PHS Wellness Center.

REGULAR CALENDAR

**Public Hearing:
Conditional Use
Permit Request,
370 Highland Way**

The Council considered the following items of regular business:

The City Planner stated that McKean & McMills are requesting a conditional use permit to operate a professional fiduciary business in Suite 202 in the multi-tenant office building at 370 Highland Way. The Planning Commission recommended Council approval of the CUP request at its meeting of June 9.

There were no requests to speak to this issue.

Resolution 50-08

WHEREAS, McKean & McMills are requesting a Conditional Use Permit to operate a professional fiduciary business in Suite 202 in the multi-tenant office building at 370 Highland Way, Piedmont, California, and;

WHEREAS, the Piedmont Planning Commission recommended City Council approval of McKean & McMills' conditional use permit on June 9, 2008; and

WHEREAS, the Piedmont City Council has reviewed the application, the staff report, and any and all other documentation and testimony submitted in connection with the application and has visited the subject property;

The Piedmont City Council makes the following findings:

1. The use is of benefit to Piedmont residents. The applicants are fiduciary advisors doing business with a small number of customers at any one time. Many Piedmont residents have trusts or will be creating trusts that will benefit from having a fiduciary trustee available to them within the City business district.
2. The use will be properly related to other land uses and transportation and service facilities in the vicinity. The use is located within a building with existing office occupancy. It is an existing office space being sublet to a new user and it will not material affect or change the occupancy within this office building.
3. Under all the circumstances and conditions of the particular case, the use will not have a material adverse effect on the health or safety of persons residing or working in the vicinity. There is no change in the current use. The space is currently used as office space and will remain as office use under the proposed conditional use.
4. The use will not be contrary to the standards established for the zone in which it is to be located. The office building is located within Zone D which is zoned for commercial and business use.
5. The use will not contribute to a substantial increase in the amount of noise or traffic in the surrounding area. The space was previously occupied as office space by the former tenant and will continue to be used as office space by the applicant. There is no material change in the number of occupants under the proposed use and that of the former use. There is parking available on Highland Way that will address parking for the proposed use. Public access from bus lines is available immediately adjoining the office building.
6. The use is compatible with the General Plan and will not adversely affect the character of the surrounding neighborhoods or tend to adversely affect the property values of homes in the surrounding neighborhoods. The General Plan for the area is for commercial businesses that serve the residents of Piedmont and that is the intent of the proposed use.
7. Adequate provision for driveways to and from the property has been made; facilities for ingress and egress from secondary streets instead of arterials, where possible, have been made; provision for parking in compliance with this Chapter 17 has been made, together with sufficient agreements to enforce the carrying out of such plans as may be required by the Council. Ingress/egress from Highland Way already exists at this particular location. The proposed use is located within an interior corridor on the second level. Parking is available on Highland Way, which includes 2-hour and 30-minute zoned street parking for occasional clients and if necessary, non-regulated street parking is available for the employees of the proposed use.
8. The plans conform to all other laws and regulations of the City, provided, however, that the Council shall have the right to require front, rear and side yard setbacks greater than those otherwise provided

in the laws and regulations of the City if the Council finds that such larger front, rear and side yard areas are necessary to provide for the health, safety and general welfare of the residents of Piedmont in accordance with its zoning laws. The proposed site is an existing office building and the proposed use complies with building and zoning codes.

RESOLVED, that in consideration of the findings and facts set forth above, the Piedmont City Council approves of the application for a conditional use permit by McKean & McMills for property located at 370 Highland Way, Piedmont, subject to the following conditions:

- *Days & Hours of Operation:* 8:00 a.m.-9:00 p.m., Monday through Sunday;
- *Number of On-Site Parking Spaces:* None;
- *Maximum number of people on site at any one time:* 7;
- *Type & Number of Personnel:* two licensed professional fiduciaries and/or investment advisors with three clerical support staff;
- *Conditional Use Permit Term:* 5 years

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0340)

**Public Hearing:
Appeal of Planning
Commission Decision,
3 Maxwellton Road**

The City Planner stated that Mr. Robert Miller is appealing the Planning Commission's May 12, 2008, conditional approval of Mr. Stephen Parker's design review application to make modifications to a previously approved design for a new house at 3 Maxwellton Road. She noted that Mr. Miller is appealing the Commission and Planning Department's approval for Mr. Parker to construct stairs within the shared sewer easement for 3 Maxwellton Road and his property at 81 Maxwellton Road.

Public testimony was received from:

Doug Vance voiced his disappointment that he did not receive notice of Mr. Miller's appeal even though he had specifically requested the City to notify him in advance of any hearings regarding Mr. Parker's Maxwellton Road properties. He stated that had he been aware of Mr. Miller's appeal, he would have joined the appeal in contesting the Planning Commission's May 12th approval of Mr. Parker's proposed location of a mailbox structure. Mr. Vance stated that he invited a Postal Office representative to tonight's meeting to discuss the mailbox issue. The Mayor advised Mr. Vance that the mailbox issue is not a subject of tonight's appeal hearing. However, he agreed that the post office representative could speak to the issue during the *public forum* portion of tonight's meeting which would immediately follow the conclusion of the appeal hearing.

Betsy and Robert Miller reiterated their dissatisfaction with the City's decision to allow Mr. Parker to locate stair footings within the 5 ft. shared sewer easement, noting that as a result of Mr. Parker's activities, their sewer pipe was dismantled and relocated and now no longer conforms with code requirements. In particular they stated for the record that:

- We do not approve the installation of any permanent structure over this easement;
- We will hold the property owner responsible for providing access to the sewer pipe if ever the need should arise;
- We will not be responsible for the replacement of any structures which may have to be removed or damaged to gain access to this pipe;
- By issuing a building permit for this structure by the City of Piedmont is facilitating the building of a permanent obstruction over a dedicated easement.

Stephen Parker advised the Council of his efforts to work with the Millers to resolve any concerns related to the sewer easement, noting that the sewer pipe has been reconnected and is in working order. He also stated that there are several access points available to this pipe.

The City Attorney referenced his staff report in reiterating that the shared sewer easement is a non-exclusive easement and the dispute between the two property owners is a civil matter not within the scope of tonight's appeal. The Building Official confirmed that the Miller's sewer pipe was damaged and displaced by Mr. Parker. However, the pipe has been repaired and was video inspected today by his office and found to comply with all City Code requirements. He noted that he would provide the Millers with a copy of the video tape. He also stated that the location of Mr. Parker's stair footings still allows access to Mr. Miller's sewer pipe.

Resolution 51-08

WHEREAS, Mr. Stephen Parker is requesting permission to make modifications to a previously approved design for a new house, including: changes to the driveway and the retaining walls and planting strip along the north side of the driveway; changes to the building material of the exterior walls; window and door modifications; expansion of a rear terrace; addition of on-grade paths, stairs, gate and retaining walls at the southwest side of the residence; and addition of a mailbox structure at the bottom of the driveway located at 3 Maxwellton Road, Piedmont, California, which construction requires design review; and

WHEREAS, the Piedmont Planning Commission conditionally approved Mr. Parker's application on May 12, 2008, and this conditional approval was appealed by Mr. and Mrs. Robert Miller; and

WHEREAS, after reviewing the application, plans and any and all testimony and documentation submitted in connection with such application and appeal, and after having visited subject property, the Piedmont City Council finds that the proposal conforms in part with the criteria and standards of Section 17.20.9 of the Piedmont City Code, finding that:

- The proposed changes to the building material of the exterior walls of the house are not appropriate and therefore are denied.

With regard to the remaining elements of the application,

1. The exterior design elements (including but not limited to height, bulk, area openings, breaks in the façade, line and pitch of the roof, materials, arrangements of structures on the parcel, and concealment of mechanical and electrical equipment) are aesthetically pleasing as a whole and harmonious with existing and proposed neighborhood development. The proposed design changes comply with Design Review Guidelines I-1 and I-5.
2. The design is appropriate, considering its effect on neighboring properties' existing views, privacy and access to direct and indirect light because there is no material change from that previously approved. The proposed improvements comply with Design Review Guidelines I-2.
3. The safety of residents, pedestrians, and vehicle occupants and the free flow of vehicular traffic are not adversely affected, considering the circulation pattern, parking layout and points of ingress and egress because there is no material change to the driveway or access to the buildings. The addition of stairs around the west-side of the property improves life-safety by creating access around this side of the house.

RESOLVED, that based on the findings and facts set forth heretofore, the Piedmont City Council denies Mr. and Mrs. Miller's appeal and upholds the Planning Commission's approval of Mr. Parker's design review application for construction at 3 Maxwellton Road, Piedmont, California, in accordance with the plans and specifications on file with the City, subject to the following conditions:

1. Compliance with the conditions of approval specified as part of the prior approvals on the residence at 3 Maxwellton Road, under Building Permit #06-005568, and Design Review applications #04-0325, #04-0525, #05-0177, #06-0264, #06-0353, and #07-0248 shall extend to this application;
2. The proposed changes to the north side driveway retaining wall in terms of height are approved. In terms of material finishes – the wall finish facing the driveway shall be split-face block and the side facing Moraga Avenue shall be stucco;
3. The alignment of the driveway skirt wall at the southeast end of the property (right) is approved as proposed;
4. The proposed mailbox is approved as submitted, subject to the condition that at a minimum 15 ft. clear access be maintained between the mailbox and retaining walls;
5. The proposed exterior finish changes on the house are denied;
6. The exterior finish of any retaining wall facing Moraga Avenue shall be stucco.

RESOLVED FURTHER, that the approval of the Planning Commission/City Council and any conditions of that approval shall not extend to any particulars set forth in the documents submitted for the project which are inconsistent with or in violation of any applicable law, including but not limited to Chapters 5 and 17 of the City Code,

nor does the approval extend to matters not set forth, or inadequately represented, in submitted documents (whether or not consistent with applicable law). The City reserves the right to require compliance with applicable laws and to attach conditions after initial approval is given, if noncompliance is discovered or additional conditions are considered necessary and appropriate in light of Commission/Council findings.

Moved by Keating, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0080)

Councilmember Keating requested the City Attorney to obtain from Mr. Parker's attorney in this easement matter (Kenneth Hecht) case law related to the issue of "a slight of burden as possible rule" regarding shared easements.

PUBLIC FORUM

Cortney Jones, U.S. Postal Service Supervisor, referenced his letter of June 14, 2008, regarding mail delivery to 1, 3, & 7 Maxwelton Road, reiterating that the postal service will not drive up Mr. Parker's driveway to the approved location of his mailbox structure and that for mail delivery purposes the mailbox structure needs to be located at the bottom of the driveway in a safe location for postal service vehicle access off of Maxwelton Road.

Blair Park Sports Field Plan

Per Council discussion of May 5, 2008, the City Administrator stated that proponents of a new sports complex at Blair Park are requesting that the City initiate the CEQA process to pursue such a development and that these proponents are prepared to finance the estimated \$45,000 cost for this CEQA study.

Correspondence was received from: A Petition in Support of Playfield Development at Blair Park; Marjorie & William Blackwell, June 16; Jim & Joanna MacQueen, June 16

Public testimony was received from:

Clarence Mamuyac, Project Designer, narrated a power-point presentation describing the proposed design concepts for the development of two sport fields, a restroom/snack bar and two 40-car parking lots. The plan is being proposed by parents and representatives from Piedmont Soccer Club, North/South Oakland Little League, Skyline Lacrosse and Piedmont Baseball & Softball Foundation. If the Council approves the project in concept and authorizes the initiation of an Initial Study, plan proponents will proceed with cost estimating and project fundraising.

Eric Havian, President of Piedmont Soccer Club, urged the Council to approve the proponents' request, underscored the critical need to secure more playfield space to meet the demand from a variety of Piedmont community sports groups and voiced confidence that the sports groups will be able to fund the cost of the CEQA study. He noted that the Piedmont Soccer Club has pledged up to \$3,500 in funding for the CEQA study.

Narciso Jaramillo of Scenic Avenue voiced concern over potential impacts of sports field development on the stability of the Scenic hillside and in particular his property. He also inquired re the scope of CEQA examination and the opportunity for the public to provide input.

George Childs voiced concern that field development may eventually increase City costs in terms of complex staffing and facility maintenance.

James Rael of Moraga Avenue voiced concern over pedestrian safety and the importance of constructing new sidewalks and crosswalks should a playfield be developed in Blair Park. He did not object in concept to the creation of a new sports field at Blair Park.

Barbara Peters and Rick Rowe of Scenic Avenue opposed playfield development in Blair Park, citing concerns over pedestrian safety, noise, disruption to wildlife habitats, loss of oak trees, increased traffic congestion and health effects on children exercising next to a busy thoroughfare. They voiced concern that noise emanating up from the fields through the canyon as well as the future possibility of field lighting would disturb surrounding residential properties and reduce the value and enjoyment of these properties for neighbors. Mrs. Peters also referenced the upcoming construction of a new playfield at Havens School in support of her contention that the Blair Park proposal may not be needed and that it is premature to pursue it at this time.

Al Peters of Scenic Avenue supported a CEQA examination of the proposal, stressing that such a study would address the neighborhoods' concerns and enable the City to determine if the development proposal is a realistic and appropriate use of the site.

Eric Housh, North/South Oakland Little League Board Member concurred with Mr. Havian's comments, was confident that little league would also contribute toward the cost of the CEQA study and emphasized that initially the development of Coaches Playfield was strenuously opposed by the surrounding neighborhood for the same reasons being voiced by opponents of the Blair Park proposal. Yet these fears were proven unjustified and Coaches Playfield is now a wonderful community asset.

Leesy Taggart, Recreation Commission Chair, reported on neighborhood input the Commission received regarding the proposed turf and lighting improvements at Coaches Playfield.

The Council supported proceeding with a CEQA examination of the proposed Blair Park development plan as a means of providing the Council with sufficient information to make an informed decision regarding the proposed development. However, the Council requested that plan proponents fund the cost of such a study. Councilmember Keating suggested that the scope of the CEQA study be expanded to examine whether the Corporation Yard would be a more suitable site for playfield development. The remaining Council noted that there is no playfield plan for the Corporation Yard property that could be studied nor has public notification been given re the potential development of the Corporation Yard as a sports field.

Resolution 52-08

RESOLVED, that the City Council appropriates \$45,000 from the General Fund Unappropriated Fund Balance for a CEQA study of the proposed sports field development of Blair Park, with the understanding that this funding will not be expended until private donations in this amount are received; and

RESOLVED FURTHER, that upon receipt of private donations for the cost of the above-referenced CEQA study, the City staff is directed to prepare a contract with LSA Associates for an environmental review under CEQA of the proposed Blair Park development plan.

Moved by Fujioka, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0745)

**Management
Compensation Plan**

On behalf of the Council's management compensation subcommittee, the City Administrator recommended Council approval of the *Performance Based Compensation Plan for Management Employees*, as revised to include mid-management employees and approval of the management salary ranges proposed by the City's consultant in this matter (Koff & Associates) based upon a marketplace survey.

Public testimony was received from:

Katie Kaneko of Koff & Associates explained the methodology used in conducting the marketplace salary survey and establishing the proposed salary ranges based upon this collected data.

George Kersh voiced concern that the proposed compensation plan will result in higher City employee wages and retirement benefits and he suggested that plan approval be deferred until economic conditions improve.

The Council supported the plan overall, agreeing to consider possible adjustments/refinements to performance expectations, percentage guidelines ratings and matrix contents for next year's evaluations.

Resolution 53-08

RESOLVED, that the City Council approves the revised Performance Based Compensation Plan for Management and Mid-Management Employees and the management salary ranges based upon a marketplace survey.

Moved by Chiang, Seconded by Fujioka

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0910)

**FY 07-08 Year-End
Appropriation and
Transfer Requests**

The Finance Director recommended Council approval of \$82,060 in FY 07-08 year-end appropriation requests from various City departments, of which \$71,050 will be funded by the General Fund and \$11,010 will be funded by fee recovery.

Resolution 54-08

RESOLVED, that the City Council approves year-end appropriation requests of \$82,060 of which \$71,050 will be funded by the General Fund and \$11,010 will be funded by fee recovery.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0165)

**Public Hearing:
Proposed FY 08-09
City Budget; Municipal
Services Tax Levy;
Municipal Sewer
Tax Levy**

The Mayor opened the second of two public hearings on the proposed FY 08-09 City budget and proposed FY 08-09 tax levies for the Municipal Services Tax and Municipal Sewer Tax. The first public hearing was held June 4. In addition to these two public hearings, the Council also considered the budget and tax levies at a special budget work session on May 17th.

Public testimony was received from:

George Childs repeated his earlier requests that the Council maintain existing service levels but reduce proposed expenditures so as to eliminate the need to levy the municipal services tax for FY 08-09.

The Council reaffirmed its earlier budget additions and deletions requests as summarized by the Finance Director. In addition, the Council directed that FY 08-09 Street Resurfacing funding be reduced to \$535,000 from its proposed \$600,000. The Council, with the exception of Councilmember Keating, also voiced support for levying the municipal service tax at its maximum rate for FY 08-09 in recognition of the possibility of lower than estimated property transfer tax revenue because of the continuing housing slump, an impending increase in the City's contract costs for Oakland Library services and likely reductions in state revenue (state take-aways).

On a Motion by Vice Mayor Barbieri, Seconded by Councilmember Chiang and Unanimously Carried, the Council agreed to extend tonight's meeting to 11:15 p.m. in order to complete agenda consideration.

**FY 08-09
Budget Adoption**

Resolution 55-08

RESOLVED, that the City Council appropriates all fund balances at the close of the fiscal year ending June 30, 2008, to applicable reserves in the various funds.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0165)

Resolution 56-08

RESOLVED, that the City Council adopts the City's proposed FY 2008-09 operation budget in the amount of \$20,680,702.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0165)

Resolution 57-08

RESOLVED, that the City Council adopts the City's proposed FY 2008-09 capital projects budget in the amount of \$5,612,750.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0165)

Resolution 58-08

RESOLVED, that the City Council approves all fee schedules contained in the proposed FY 08-09 budget, effective July 1, 2008, including a 5% fee increase for schoolmates, a building permit fee increase of 7%, reduction of all solar energy related building permit fees to a flat \$300, increases in selected miscellaneous permit fees as proposed, a 7.28% fee increase for all planning applications as well as a new fee proposals contained in the Finance Director's staff report.

Moved by Chiang, Seconded by Barbieri

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0165)

Resolution 59-08

RESOLVED, that the population percentage increase for the County of Alameda be used for computing the 2008-09 appropriation limit for the City of Piedmont.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0165)

Resolution 60-08

RESOLVED, that the use of growth in the California Per Capita Income be used for computing the appropriation limit for the City of Piedmont for fiscal year 2008-09.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0165)

Resolution 61-08

RESOLVED, that following public notice of the availability of the documentation used in the determination of the appropriation limit pursuant to Section 7910 of the Government Code and Article XIII(B) of the California Constitution, as amended by Proposition 111 and SB 88, the City Council does hereby establish the appropriation limit for fiscal year 2008-09 at \$17,258,353.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0165)

Resolution 62-08

WHEREAS, the City Council in accordance with the provisions of Chapter 20B of the City Code has held a public hearing relating to the need to assess the Municipal Services Tax for the 2008-09 tax year commencing July 1, 2008; and

WHEREAS, the City Council, after fully considering all of the information and materials before it, determines in accordance with Section 20B.2 of the City Code that the cost of providing the general municipal services for the 2008-2009 tax year exceeds the amount of funds generated through other revenue and income for such services; and

WHEREAS, the City Council further determines that a general Municipal Services Tax must be levied for the 2008-09 tax year in order to provide the municipal services required by the residents of the City; and

WHEREAS, after reviewing the financial and tax data available, the City Council determines that the amount to be raised by the Municipal Services Tax is \$1,540,000 and that the tax should be set at the rates set forth hereafter.

RESOLVED, that based upon the foregoing findings and determinations the City Council does hereby levy a general Municipal Services Tax in the amount of \$1,540,000 for the 2008-09 tax year pursuant to Chapter 20B of the City Code at the rates set forth hereafter:

Single Family Residence

0 to 4,999 sq. ft.	\$349
5,000 to 9,999 sq. ft.	\$391
10,000 to 14,999 sq. ft.	\$453
15,000 to 20,000 sq. ft.	\$517
Over 20,000 sq. ft.	\$589

Commercial Properties

0 to 10,000 sq. ft.	\$589
Over 10,000 sq. ft.	\$883

Multi-Family Residence per unit \$242

Parcels Divided by Tax Code Area Line \$358

Moved by Chiang, Seconded by Fujioka
Ayes: Friedman, Barbieri, Chiang, Fujioka

Noes: Keating

Absent: None

(0165)

Resolution 63-08

WHEREAS, the City Council in accordance with the provisions of Chapter 20E.4 of the Piedmont Municipal Code has held a public

hearing relating to the need to assess the Municipal Sewer Tax for the 2008-09 tax year commencing July 1, 2008; and

WHEREAS, the City Council, after fully considering all of the information and materials before it, determines in accordance with Section 20E.2 of the City Code that the maximum amount to be raised by the Municipal Sewer Tax is \$2,000,000 and

WHEREAS, under the provisions of Section 20E.3, the tax for the fiscal year beginning July 1, 2008 shall be set forth hereafter;

WHEREAS, that based upon the foregoing findings and determinations, the City Council does hereby levy a Municipal Sewer Tax in the amount of \$1,810,000 for the 2008-09 tax year pursuant to Chapter 20E of the Piedmont Municipal Code at the rates set forth hereafter.

RESOLVED, that based upon the foregoing findings and determinations the City Council does hereby levy a Municipal Sewer Tax in the amount of \$1,810,000 for the 2008-09 tax year pursuant to Chapter 20E of the City Code at the rates set forth hereafter:

Single Family Residence

0 to 4,999 sq. ft.	\$403
5,000 to 9,999 sq. ft.	\$461
10,000 to 14,999 sq. ft.	\$530
15,000 to 20,000 sq. ft.	\$619
Over 20,000 sq. ft.	\$729

Commercial Properties

0 to 10,000 sq. ft.	\$729
Over 10,000 sq. ft.	\$1,004

Multi-Family Residence per unit \$337

Parcels Divided by Tax Code Area Line \$403

Moved by Chiang, Seconded by Barbieri
Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating
Noes: None
Absent: None
(0165)

ANNOUNCEMENTS

KCOM Award – The Mayor congratulated Jan Kovickian and KCOM staff on its centennial-produced DVD entitled *Celebrate* for winning “Best Documentary” in a nationwide competition sponsored by Alliance for Hometown Media, a consortium of government access television stations across the country. This year’s competition included 11,000 entries in 25 categories.

July 4th Block Parties – The Mayor encouraged residents planning to hold block parties on July 4th to submit their “street closure forms” to the City. In addition, the Mayor encouraged neighborhoods and/or residents to participate in this year’s parade. Parade entry forms are available on the City’s website or by contacting July 4th Chair Carla Betts.

Household Waste – The Mayor announced that EBMUD and *Save the Bay* are sponsoring free disposal of household waste such as medications, mercury thermometers and e-waste on June 28 at Montera Middle School in Oakland.

Summer Schoolmates – The Mayor announced that summer Schoolmates will be held at Wildwood School this year. Information regarding this program is available on the City’s website or at the Recreation Department.

Environmental Task Force – Councilmember Fujioka reminded residents that the City’s Environmental Task Force is still accepting applications for appointment. Submittal deadline is June 24 and application forms are available on the City’s website or at City Hall

Future Agenda Items

Election Timetable – The Mayor requested the City Clerk to provide information at a future meeting regarding possible election timelines for the City to place a charter amendment ballot measure to eliminate the City’s “reserve cap” as recommended by the City’s Municipal Services Tax Review Committee.

ADJOURNMENT

There being no further business, Mayor Friedman adjourned the meeting at 11:10 p.m.