

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, May 5, 2008

A Regular Session of the Piedmont City Council was held May 5, 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 May 1, 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 as well as discussion of possible litigation regarding the Light Brown Apple Moth held pursuant to Government Code Sections 54957.6 and 54956.8, Mayor Friedman called the meeting to order at 7:40 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, Police Chief Lisa Ravazza, Fire Chief John Speakman, Public Works Director Larry Rosenberg, Finance Director Mark Bichsel, Recreation Director Mark Delventhal, City Clerk Ann Swift, City Planner Kate Black, Assistant Planner Kevin Jackson, Parks & Projects Manager Mark Feldkamp and Recording Secretary Chris Harbert

CONSENT CALENDAR

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

Minutes

Approves as amended herein, Council meeting minutes of April 21, 2008:

Page 2 (5th Paragraph, line 10): “. . .(3) the long-term health effects of the spray’s inert ingredients have not been adequately tested nor determined, especially with regard to potential health impacts on infants;

Agreement

Approves an agreement with Cleary Brothers in the amount of \$394,550 for construction of the Exedra Plaza Phase III Project; accepts a gift in the amount of \$120,000 from the Piedmont Beautification Foundation for this project and appropriates said amount to the Exedra Plaza Phase III Project Account; and transfers \$42,000 from the Supplemental Park Maintenance Account (#402-057-002) to the Exedra Plaza Phase III Project Account for planting and shrubbery

Agreement

Approves an agreement with R-3 Consulting Group, Inc., in an amount not to exceed \$8,120 to prepare amendments to the Municipal Code to comply with the recently adopted 10-year Agreement with Richmond Sanitary Service, Inc. to provide trash, recycling and green waste services

Agreement

Approves an agreement with Big Think Studio in an amount not to exceed \$14,000 for creation of billing inserts for the City’s garbage, green waste and recycling program

Resolution

Adopts the following Resolution establishing a 75% waste reduction goal for the City as mandated by new Alameda County standards:

WHEREAS, the California Integrated Waste Management Act of 1989 mandated that every city and county in the state reduce the quantity of solid waste disposed within their jurisdiction and disposed in landfills by fifty percent by 2000; and

WHEREAS, the City of Piedmont has met the 50% waste reduction goal; and

WHEREAS, the Alameda County Waste Reduction and Recycling Initiative Charter Amendment (Measure D) established a countywide goal of 75% reduction of waste going to landfills and

WHEREAS, the Alameda County Integrated Waste Management Plan also established a countywide goal of 75% reduction of waste going to landfills by 2010;

WHEREAS, the City of Piedmont wishes to do its part to help achieve the Countywide goal of 75% reduction of waste going into landfills by 2010 by establishing a similar goal and

WHEREAS, the General Plan includes specific objectives and implementation measures to increase recycling, reduce energy consumption, and increase educational efforts related to waste reduction; and

WHEREAS, the City of Piedmont has adopted a number of policies and programs that support this goal including a C&D debris recycling ordinance, a multi-family residential recycling program, a residential food waste collection program, a commercial recycling program and a backyard/curbside recycling program;

Now, Therefore Be It Resolved that the City Council adopts a goal of 75% reduction of waste going to landfills by 2010 for the City of Piedmont in accordance with the countywide 75% waste reduction goal using the existing state of California Diversion rate methodology for measurement; and

Be It Further Resolved that the Piedmont Department of Public Works shall work with StopWaste.Org to accomplish this goal and present strategies and programs to the City Council for consideration as needed.

Resolution 38-08

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

Moved by Barbieri, Seconded by Fujioka

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0045; 0700)

(Note: Mayor Friedman abstained from the vote approving the April 21 Council minutes)

PRESENTATION

Piedmont Beautification Foundation President Diane Coleman and Past President Sue Herrick presented the City with a check in the amount of \$120,000 for the Exedra Plaza, Phase III Project. They noted that the funding represents generous donations from the family of Barbara Magee as well as other Piedmont residents. On behalf of the City, Mayor Friedman thanked the Beautification Foundation for their efforts in raising funds for this project.

PUBLIC FORUM

There were no speakers for the public forum.

REGULAR CALENDAR

The Council considered the following items of regular business:

Coaches Playfield

The Recreation Director reported that in response to Council direction of October 1, 2007, Mr. Harry Benke of Visual Simulation Analysis was retained to conduct a photometric field lighting examination for Coaches Playfield. The Director requested that following Mr. Benke's report, the Council provide direction as to whether field lighting should be included in the on-going CEQA study (authorized April 16, 2007) related to the proposed installation of synthetic turf at Coaches Playfield. The Director further recommended that should the Council direct the CEQA consultant to consider field lighting impacts in his EIR review, the field lighting analysis be based upon the following use restrictions:

- No Friday, Saturday or Sunday use of lights;
- Use of lights for practices only – no games;
- Use of lights in January through March for baseball/softball practices;
- Use of lights in September through November for soccer practices;
- No use of lights in April through August and in December
- No use of lights after 9:00 p.m.

The Recreation Director added that the estimated cost for synthetic turf installation at Coaches is \$1 Million; field lighting would cost an additional \$200,000. The estimated cost for including field lighting analysis in the on-going CEQA study is between \$15,000 and \$20,000, adding that the cost for including field lighting in the current CEQA study would be substantially less than authorizing a separate EIR on the lighting issue.

Mr. Phil Singer, Project Architect, and Mr. Harry Benke, lighting consultant, narrated a power-point presentation describing the visual impact of the proposed light poles and field lighting from three representative view sites in the surrounding Moraga Canyon/Scenic neighborhoods. The three "view point" sites chosen were 9 Abbott Way, 415 Scenic Avenue and 255 Scenic Avenue. The proposed lighting project would involve 8 light poles – 5 poles would be 60 ft. tall along the Moraga Avenue side of the field and 3 poles would be 45 ft. tall atop the crib wall bordering the Corporation Yard side of the field. These light poles would be partially screened from view by the large redwood and sycamore trees bordering the field. New technology in field lighting allows light fixtures to be directly aimed/focused downward onto the field ground to minimize light spill. The photometric study indicated that the proposed lighting would not "wash out" existing Bay views of neighboring property – only the ground at

the playfield would be illuminated, not the sky above to any greater extent than already exists by distracting lights from the Corporation Yard and neighboring homes.

Correspondence was received from: Troy Crosby, May 1; Len Gilbert, May 5; Mia & Stephen Tindle, May 5

Public testimony was received from:

Dick Hunt and Glen Burge, Piedmont Baseball Foundation Board Members, urged inclusion of the lighting issue in the current CEQA process for Coaches Playfield, stressing the significant growth in youth sports in Piedmont, the desperate need for more field time to accommodate practice sessions and the fact that field lighting is the most cost effective way to expand the City's field use capacity. They were confident that if lighting at Coaches is approved, local sports groups will donate funds to help cover the cost. They also emphasized that significant improvement in field lighting technology has occurred since Coaches was originally developed and as a consequence past fears that field lighting would negatively impact the enjoyment and value of neighboring properties may no longer be valid.

George Childs requested that the lighting issue not be incorporated into the CEQA study unless residents in the surrounding neighborhoods fully support such an examination. He also urged that no field lighting be approved or installed without firm funding guarantees from local sports groups.

Mia Tindel and Joan Auspach advised the Council that the surrounding Moraga Canyon/Scenic Avenue neighborhoods still strongly oppose the installation of field lighting at Coaches as indicated by a neighborhood petition submitted to the City last year. They urged the Council not to renege on past promises to the neighborhoods that Coaches Playfield would never have lights, stressing that light glare and evening noise would significantly impact the value and enjoyment of their homes, properties and views.

Eric Havian and Scott Cauchois, Piedmont Soccer Club Board Members, emphasized the critical need for more field time for the club's various soccer programs, noting that approximately half the children in Piedmont play soccer. They noted that within the next 18 months it is likely that Piedmont Soccer will lose access to soccer fields in Alameda and it is becoming more and more difficult to find enough field space to meet demand. They agreed with the baseball foundation speakers that improved lighting technology will mitigate potential impacts on neighboring property and noted that since only practices, not games, will occur under the lights, potential noise impacts would be negligible. They also felt that without lights, the proposed \$1 Million turf improvement at Coaches will provide little benefit to Piedmont kids who play soccer.

Leesy Taggart, Recreation Commission Chair, summarized the Commission's examination and public hearing testimony regarding turf and lighting improvements at Coaches Playfield and supported incorporating an examination of field lighting in the current CEQA study regarding synthetic turf installation at Coaches.

Rob Brown, Skyline LaCrosse Field Coordinator, underscored the difficulty all sports groups are having in finding enough field time to accommodate their needs. He stressed that increasing field time capacity at Coaches through the addition of an all-weather surface and field lighting will benefit all sports groups – either directly or indirectly.

The Council supported incorporating an examination of field lighting into the current CEQA review for Coaches as the most cost effective means of providing the Council with the greatest amount of information possible upon which to base playfield related decisions. It was noted during the Council's discussion that the CEQA study would address product safety/toxicity/health issues related to synthetic turf surfaces as well as field lighting impacts on neighboring properties and wildlife activities.

Resolution 39-08

RESOLVED, that the City Council directs that an examination of field lighting at Coaches Playfield be included in the on-going CEQA (environmental) studies for the installation of synthetic turf at the playfield, based upon the following lighting use restrictions:

- No Friday, Saturday or Sunday use of lights;
- Use of lights for practices only – no games;
- Use of lights in January through March for baseball/softball practices;
- Use of lights in September through November for soccer practices;
- No use of lights in April through August and in December
- No use of lights after 9:00 p.m.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0340)

Blair Park

The City Administrator explained that a privately initiated proposal has been prepared by Clarence Mamuyac and Steve Shiller for the development of a multi-use sport complex at Blair Park and to also beautify this entrance point into the City. This proposal has been presented to both the Recreation and Park Commissions as well as discussed at neighborhood meetings and at a Civic Center Master Plan workshop. The City Administrator felt it was now appropriate for the Council to schedule public hearings on this proposal. He suggested that a first such hearing be held in June.

Steve Shiller and Clarence Mamuyac, members of *PARKS* (local sports group representatives), narrated a power-point presentation outlining the group's design concept for developing 2.7 acres of Blair Park into a youth sports complex containing:

- two Under 10 soccer fields with an overlay baseball field; the larger soccer field could also be used as a practice facility for Under 12 soccer and lacrosse;
- two parking lots
- a restroom/concession building

- buffer landscaping along Moraga Avenue frontage

It is anticipated that development of the site would be in two phases:

Phase I – \$4 Million

- Larger field and the larger of the two parking lots

Phase II -- \$1.5 Million

- Smaller field
- Concession/restroom building
- Second parking lot

Correspondence was received from: Troy Crosby, May 1

Public testimony was received from:

Eric Havian, Piedmont Soccer Club, voiced the club's strong support for the proposal, stressing that Blair Park is essentially the last piece of property in Piedmont where a new playfield can be developed.

Rob Brown and Scott Cauchois informally voiced from the audience their previous comments regarding the critical need for more playfield space to accommodate youth sports.

George Childs felt that the proposal involved too much negative impact on Moraga Avenue traffic flow as well on neighboring residential properties. As an alternative, he suggested that: (1) the Recreation Center tennis courts be relocated to Blair Park with a small parking lot added; and (2) the former site of the Recreation Center tennis courts be converted to a parking lot – thereby avoiding the expense of building an underground parking garage below the existing courts as proposed in the Civic Center Master Plan.

The Council requested the Mayor to schedule a public hearing on the Blair Park proposal for either the first or second meeting in June (at the Mayor's discretion), with the understanding that there would be broad public notification of this hearing, including special notices in school flyers and in the local press.

**Gym Floor
Appropriation**

The Recreation Director recommended Council approval of a \$15,000 appropriation toward the expense of installing a new floor in the Piedmont Middle School Patio Gymnasium. He stated that the estimated cost for floor installation is \$60,000, with the School District committing \$30,000, the Piedmont Basketball Foundation contributing \$15,000 and the City being requested to fund the remaining \$15,000. He noted that the Recreation Department uses the patio gym from September through March for department volleyball and basketball programs and also in the summer for special summer camp programs.

Correspondence was received from: David Cooper, April 28.

Public testimony was received from:

David Cooper, founder of the Piedmont Basketball Foundation, urged the City's cooperation in this joint public/private partnership that will benefit the youth of Piedmont. He stressed that the current gym floor is

slippery and dangerous and the new multi-use flooring is waterproof and suitable for a wide variety of sport uses as well as arts and dance classes.

George Childs inquired whether the extent of the City's use of the patio gym is proportionate with the amount of contribution being requested. The Director and Councilmember Barbieri assured Mr. Childs that the PMS gym is and has been for years heavily used by the City's various youth and adult recreational programs.

The Council supported the appropriation request, stressing however that should the installation exceed the projected \$60,000 cost, the City will be unable to fund any part of the overrun.

Resolution 40-08

RESOLVED, that the City Council appropriates \$15,000 from the General Fund Reserve as the City's contribution toward the expense of a new gymnasium floor in the Piedmont Middle School Patio Gymnasium.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0088)

**Proposed FY 08-09
City Budget**

In accordance with the City Charter, the City Administrator presented the City's proposed FY 08-09 operations and capital improvements budget. He noted that unlike prior years, anticipated property transfer tax revenue for 08-09 is projected to significantly decrease, down approximately \$900,000 from the previous 5-year average because of the economic crises in the housing market. In addition, the state's severe financial crisis may also negatively impact the amount of revenue the City will ultimately receive. Therefore, the proposed budget reflects significant funding reductions for equipment replacement, capital improvements and facility maintenance. In addition, the proposed budget recommends setting the City's municipal services tax at its maximum rate. He announced that the Council will consider the proposed budget at a special work session on Saturday, May 17 as well as at two public hearings on June 2 and 16 – the public is invited to attend these meetings. Copies of the proposed budget are available at City Hall and on the City's website.

Future Agenda Items

Park Use Restrictions – Councilmember Keating requested that the Council examine the types of uses occurring in City parks and what methods can be employed to control uses that adversely impact neighboring properties. He cited in particular adult use of Beach Playfield, the frequent use of generator-powered jump-houses in Dracena Park and the likelihood that an all-weather surface at Coaches Playfield will generate additional and new types of uses; all of which are or could adversely impact adjacent residences. The City Administrator acknowledged staff's awareness of these types of issues and agreed to provide a report concerning how other cities are dealing with these types of issues and the possible options available to the Council.

ANNOUNCEMENTS

Exedra Plaza – the ground-breaking ceremony for the Exedra Plaza, Phase III renovation will be held on May 7.

Civic Center Master Plan – review and discussion of a scale model and cost estimates for the proposed redesign of the Civic Center will be held May 15.

Proposed FY 08-09 – copies of the draft budget are available on the City's website and at City Hall.

ADJOURNMENT

There being no further business, Mayor Friedman adjourned the meeting at 10:40 p.m.