

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, September 15, 2008

A Regular Session of the Piedmont City Council was held September 15, 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 September 11, 2008.

CALL TO ORDER

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: Finance Director Mark Bichsel (Acting City Administrator), City Attorney George Peyton, Police Chief Lisa Ravazza, Fire Chief John Speakman, Public Works Director Larry Rosenberg, City Clerk Ann Swift, City Planner Kate Black and Recording Secretary Chris Harbert

CONSENT CALENDAR

Prior to the following items being considered under one vote by the Council, George Childs urged that the Council not support the Alameda County Waste Management Authority's proposed amendment to limit the requirement for super-majority Board approval to expenditures of \$500,000 or greater. He felt that such action was undermining the spirit of Proposition 13. He also urged the Council not to go on record in support of the East Bay Regional Park District's November 4th ballot measure (Measure WW) to extend Measure AA for another 20 years, believing that the District has acquired sufficient park land during the last 20 years. The Mayor noted that the request to continue consideration of the proposed abandonment of the Alta Piedmont Underground Assessment District for another 45 days reflects his discussions with the District's Steering Committee members who are supportive of his efforts to attempt to lower required engineering costs so that district proponents can proceed with the undergrounding process.

Minutes

Approves as submitted Council meeting minutes of September 2, 2008

Agreement

Approves the proposed amendment to the Alameda County Waste Management Authority Joint Powers Agreement to limit the requirement for super-majority approval of expenditures to \$500,000 or greater

Resolution

Adopts the following Resolution in support of Measure WW on the November 4, 2008, ballot:

WHEREAS, the East Bay Regional Park District has placed Measure WW on the November election ballot; and

WHEREAS, this measure is an extension of a measure originally approved by the voters in 1988 which allowed the Park District to acquire 34,000 acres of new parklands and funded \$299,195 directly to the City of Piedmont for

community park projects including the Piedmont Park Tot Lot and restoration of pathways in Piedmont Park; and

WHEREAS, 25% of the new Measure WW funds will be designated for use by local communities, including \$507,000 to be used for new park projects in the City of Piedmont; and

WHEREAS, Measure WW will not increase the current rate which property owners are already paying for support of regional and local parks;

NOW, THEREFORE, BE IT RESOLVED, that the City of Piedmont supports the passage of Measure WW on the November ballot and urges all residents to vote YES to improve Piedmont parks, maintain our regional park system and acquire new parks for future generations.

Utility Undergrounding Continues for an additional 45 days the matter of abandoning proceedings for the Alta Piedmont Underground Assessment District

Resolution 76-08

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

Moved by Fujioka, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0045; 0610; 1075)

(Note: Vice Mayor Barbieri recused himself from the vote on the 45 day continuance for the Alta Piedmont Underground Assessment District and that portion of the September 2 Council minutes which considered a Resolution to Abandon District proceedings for the Alta Piedmont Underground Assessment District)

PUBLIC FORUM

Piedmont Beautification Foundation Board Members Bobbe Stehr and Diane Coleman requested that the City take action to reduce littering in Piedmont Park by PHS students eating lunch in the park. They noted that the littering problem has been an on-going source of frustration for years. Foundation members are disappointed by the blight and blatant disregard and disrespect for the significant park improvements made to the park's Exedra and Overlook areas, funded in large measure by donations from the Beautification Foundation. They urged that action be taken to eliminate this costly public nuisance by assigning police patrols in the park during lunch periods to enforce the City's anti-littering laws or designating the park "off limits" to students during lunch time. The Mayor and Councilmember Fujioka suggested that the Foundation's concerns be raised during the upcoming *town hall* meetings and that the littering problem also be discussed at School District/City Council Liaison meetings.

REGULAR CALENDAR

The Council considered the following items of regular business:

**Fire Dept. Kitchen
Renovation Project**

The Fire Chief recommended Council approval of a contract with Blue Water Builders in the amount of \$151,681 for the remodel of the department's kitchen. If approved, the project would begin immediately and be completed within 45 days to minimize firefighter

inconvenience. The Chief also requested that \$10,316 be transferred from the Fire Dept. Contract Services Account to supplement project funding, noting that the kitchen's greater than anticipated substandard condition accounts for the budget overrun. The City Clerk explained how the project was advertised, noted that two bids were received and that Blue Water Builders was the low bid. The Finance Director also noted that it appears that a new State budget will be adopted soon and preliminary indications are that the proposed budget does not involve any state *take-aways* of local government funding.

Resolution 77-08

RESOLVED, that the City Council awards the contract for the Fire Department Kitchen Remodel Project to Blue Water Builders in the amount of \$151,681 and authorizes the transfer of \$10,316 from the Fire Dept. Contract Services Account (411-054-001) to cover the budget shortfall for this project.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0045)

Ordinance

The City Planner recommended second reading approval of Ordinance 682 N.S. amending Chapter 17 regarding construction of trash enclosures. She stated that the ordinance has been revised per the Council's September 2 first reading approval to amend the sunset provision of the code to state: "*Two years from the date of its adoption, this section 17.17.1©(ii) shall be reviewed by the City Council who will determine if it shall expire or be extended for a further term.*"

Resolution 78-08

RESOLVED, that the City Council approves the second reading of Ordinance 682 N.S., as revised, amending Chapter 17 regarding construction of trash enclosures.

Moved by Barbieri, Seconded by Chiang

Ayes: Friedman, Barbieri, Chiang, Fujioka, Keating

Noes: None

Absent: None

(0705)

ANNOUNCEMENTS

Town Hall Meetings – The Mayor announced that three town hall meetings have been scheduled to receive resident feedback, comments and suggestions on any and all topics. All meetings will commence at 7:00 p.m. He encouraged residents to attend any of the following meetings:

- Wednesday, September 17 at Beach School Auditorium
- Wednesday, September 24 at Wildwood School Auditorium
- Wednesday, October 1 at PHS library

Harvest Festival – The Mayor encouraged residents to attend the community's 10th Annual *Harvest Festival* on Sunday, September 21, adding that it is not too late to enter the event's cooking and growing contests.

Mid-Autumn Moon Festival – Councilmember Chiang encouraged residents to attend the *Mid-Autumn Moon Festival* on September 19 at Beach School sponsored by the Piedmont Asian-American Club.

Water Conservation – The Mayor announced that water conservation devices from EBMUD are now available at City Hall. Proof of residency is required to obtain these free devices.

ADJOURMENT

There being no further agenda business, Mayor Friedman adjourned the Council at 8:10 p.m. to Closed Session for the purposes of discussing contract negotiations with the Piedmont Police Officers Association and International Association of Firefighters held pursuant to Government Code Section 54957.6 and of discussing FY 07-08 City Administrator and Department Head performance evaluations pursuant to Government Code Section 54957.