

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, September 20, 2010

A Regular Session of the Piedmont City Council was held September 20, 2010, 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 16, 2010.

CALL TO ORDER

Following a 7:00 p.m. Closed Session regarding Interim Police Chief performance evaluation and initiation of litigation held pursuant to Government Code Sections 54957 and 54956.9(c), respectively, Mayor Barbieri called the meeting to order at 7:45 p.m. with the Pledge of Allegiance.

ROLL CALL

Present: Mayor Dean Barbieri, Vice Mayor John Chiang and Councilmembers Margaret Fujioka, Garrett Keating and Jeff Wieler

Staff: City Administrator Geoff Grote, Acting City Attorney Michelle Kenyon, Interim Police Chief John Hunt, Interim Public Works Director Chester Nakahara, City Planner Kate Black, Assistant Planner Kevin Jackson, Interim City Clerk John Tulloch 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 September 7, 2010

Ordinance

Approves the second reading of Ordinance 694 N.S. amending Chapter 30 of the City Code regarding storm water management and discharge control

Resolution 81-10

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

Moved by Chiang, Seconded by Fujioka

Ayes: Barbieri, Chiang, Fujioka, Keating, Wieler

Noes: None

Absent: None

(0705)

(Note: Mayor Barbieri abstained from the vote approving the September 7, 2010, Council meeting minutes)

PUBLIC FORUM

George Kersh commented on the Council's scheduled October 4 discussion of a March 11 police stop of two African-American Piedmont High School students. The Mayor chastised Mr. Kersh for his disparaging remarks directed at certain Councilmembers and the City of Oakland.

REGULAR CALENDAR

The Council considered the following items of regular business:

Appropriation

The Interim Police Chief recommended that \$8,376.81 in Citizens Option for Public Safety (COPS) grant funding be appropriated as follows: \$5,026.09 to the police department's overtime account to fund special patrols and community

outreach and \$3,350.72 to the department's equipment replacement account to fund the purchase of additional equipment for front line personnel. He stated that the \$8,376.81 is the last COPS allotment for FY 09-10, bringing the total of COPS funds received in FY 09-10 to \$100,000. The Interim Chief added that the recommended appropriations are consistent with how Piedmont has historically utilized COPS funding.

Public testimony was received from:

George Kersh repeated his previous requests that the police department publicly disclose what type of equipment it intends to purchase with COPS funding prior to making the actual purchases so residents have an opportunity to review and comment on the expenditure of these funds.

Resolution 82-10

RESOLVED, that the City Council accepts \$8,376.81 in Citizens Option for Public Safety grant funding and appropriates \$5,026.09 to the police department's overtime account and \$3,350.72 to the department's equipment replacement account.

Moved by Chiang, Seconded by Fujioka

Ayes: Barbieri, Chiang, Fujioka, Keating, Wieler

Noes: None

Absent: None

(0088)

PG&E Update

In light of this month's devastating gas line explosion in San Bruno and complaints from residents regarding SmartMeter installations, the Interim Public Works Director reported on his discussions with Alicia Bert, PG&E Government Relations Manager, regarding these issues. In brief, PG&E has disclosed that there are no point to point gas transmission lines in Piedmont and it has committed to work with staff to insure that locations of gas distribution lines are disclosed, gas line mapping information is accurate and the City's GIS (Geographic Information System) data base is updated to include this information. The Interim Director noted that the City had been seeking information regarding the location of gas lines for months prior to the San Bruno incident because of past problems encountered as a result of incomplete or inaccurate information concerning pipeline locations. However, given the seriousness of the San Bruno disaster, the City's efforts were redoubled. As to the SmartMeter issue, the Interim Director reported that Ms. Bert was surprised that PG&E's policy of notifying residents in advance of SmartMeter installations was not always being followed. She has agreed to investigate and report on this breach of policy as well as provide information as to how many more SmartMeters are scheduled to be installed in Piedmont.

Public testimony was received from:

George Kersh urged the City to insist that PG&E provide the location of gas transmission lines and emergency shut-off valves to the Fire Department.

Councilmember Fujioka thanked the Interim Director for his pro-active approach given the San Bruno disaster and requested that information regarding this important public safety issue be posted on the City's website.

**Environmental Task
Force Update**

The Assistant Planner provided an update regarding the status of the City's implementation of the action recommendations of the City's Environmental Task Force approved by the Council on January 4, 2010, as well as the greenhouse gas reduction actions included in the City's Climate Action Plan adopted March 15. Despite planning department staffing reductions and the inability of the City to fund at the present time a "Sustainability Coordinator" to oversee the implementation of the majority of waste diversion, energy efficiency and greenhouse gas emission reduction actions, staff has initiated and/or completed the following recommended tasks:

- participate in the Countywide voluntary Renewable Energy Assessment District;
- consider retrofits in City Hall and other City buildings to reduce energy use;
- utilize energy-efficient lighting when City streetlights are replaced or when new street lights are installed;
- apply for grants to cover recycling and energy conservation capital costs;
- use traditional media to increase awareness of environmental issues, particularly waste prevention and reduction;
- coordinate closely with the Piedmont Unified School District;
- implemented a CFL-bulb recycling program;
- implemented a Bay-friendly Landscaping Ordinance;
- acquired and installed recycling receptacle stations in public spaces
- implemented and continues focused education and outreach on waste reduction, especially food scrap recycling

The Council discussed the various tasks completed, in-progress or deferred pending the appointment and funding of a sustainability coordinator. To assist staff in its continuing efforts, the Council made the following suggestions:

- consider utilizing the volunteers of CONNECT;
- consider the potential of some tasks being implemented as an Eagle Scout Project;
- consider the feasibility of the appointment of a sustainability commission to serve as a consulting and peer review body. Research the operations of other cities which have sustainability commissions;
- include on the City's website a list of all approved Environmental Task Force and Climate Action Plan specific action items, with a "checklist" box to indicate the status of each recommendation, so that residents can monitor the City's progress.

The City Administrator agreed, as time permits, to prepare a staff report and recommendation regarding the above suggestions.

**LED Streetlight
Replacements**

The Assistant Planner reported that the City's pilot program for the installation of approximately 100 LED street lights is on schedule. An ad hoc committee composed of staff, Planning Commission Chairman Melanie Robertson and Planning Commissioner/Piedmont Beautification Foundation Member Bobbe Stehr toured the City of Albany's recent LED installations to assess the quality of these types of lights. The committee determined that while the light color and brightness is different from standard high pressure sodium street lights, the increase in visibility, public safety, energy efficiency and cost savings realized from these new lights will be of great benefit to the community. The City will be receiving \$58,369 in grant funding for the installation of the lights in the following areas: non-residential Civic Center, Linda Avenue, Grand Avenue, Oakland Avenue (from Olive to Highland) and Highland Avenue (from Moraga to Mountain). It is anticipated that the installations will take place in January.

Public testimony was received from:

George Kersh requested that light meter readings be taken of the new lights and compared with the City's existing street lights.

The Council voiced support for the installations, with the Vice Mayor suggesting that "before and after" photographs of the lighting change be taken. Councilmember Wieler suggested that in the designated test areas, the new lights be intermixed with the old lights so that residents can better assess the differences between the two types of light fixtures.

**Electronic Advertising
Sign Ordinance**

The City Planner referenced extensive Council discussions in the summer and fall of 2009 regarding regulation of electronic advertising and information devices, noting that no consensus regarding their regulation was reached. She stated that staff has continued to research this issue and has prepared a proposed ordinance to treat and regulate electronic advertising and information devices as "signs" for the purposes of Planning Commission review and action and to exclude from sign regulation bank automated teller machines (ATMs). Staff concluded that since the primary purpose of ATMs is to conduct banking business and serve as electronic bank tellers, they are not really signs per se and should be considered differently from other types of TV monitor devices.

The Council reviewed the proposed ordinance, with the majority supporting ordinance adoption with the following revision:

- Section 17.19.8 -- Audible Signs. Any sign that has mechanically generated noise associated with it shall have a maximum decibel level emanating from the sign of 0 decibels measured at all property lines, and such sign shall be turned off when the premises are not open to the public. (*language deleted*).

Councilmember Wieler expressed concern that the new language proposed in Section 17.19.2 may be too restrictive. The new language in question read: ". . .

or located inside a window in such a manner as to be visible from a sidewalk, parking lot, street or other public place." The City Planner responded that historically the City has been flexible regarding incidental and temporary signs that are located within the interior of an office, store or building, stressing that the proposed new language is intended to address electronic signs intentionally placed directly adjacent to exterior windows.

Councilmember Keating voiced opposition to electronic advertising signs in Piedmont.

Resolution 83-10

RESOLVED, that the City Council approves, as amended herein, the first reading of Ordinance 692 N.S. amending Chapter 17 of the City Code regarding signs.

Moved by Chiang, Seconded by Fujioka

Ayes: Barbieri, Chiang, Fujioka, Wieler

Noes: Keating

Absent: None

(0705)

ANNOUNCEMENTS

Harvest Festival -- Sunday, September 26. Residents were encouraged to attend this very popular community event.

Public Safety Committee -- next meeting is Thursday, September 23 at 5:30 p.m. The Committee will be reviewing its draft first quarter report to the Council.

Camp Augusta -- annual fundraiser will be held Friday, September 24 in the Veterans Hall. Residents were invited to enjoy an evening of good food and entertainment in support of this summer youth camp.

ADJOURNMENT

There being no further business, Mayor Barbieri adjourned the meeting at 9:25 p.m.