

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, January 3, 2011

A Regular Session of the Piedmont City Council was held January 3, 2011, 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 December 30, 2010.

CALL TO ORDER

Following a 6:30 p.m. Closed Session regarding the lease of City property at 777 Magnolia Avenue and labor negotiations for all units, held pursuant to Government Code Sections 54956.8 and 54957.6, respectively, Mayor Barbieri called the meeting to order at 7:40 p.m. with the Pledge of Allegiance.

ROLL CALL

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

Absent: Councilmember Margaret Fujioka

Staff: City Administrator Geoff Grote, City Attorney Tom Curry, Finance Director Mark Bichsel, Fire Chief Edward Tubbs, Interim Public Works Director Chester Nakahara, Recreation Director Mark Delventhal, Chief Building Official Robert Akiyama, Interim City Clerk John Tulloch and Recording Secretary Chris Harbert

CONSENT CALENDAR

The following item was considered under one vote by the Council:

Minutes

Approves as submitted Council meeting minutes of December 6, 2010

Resolution 1-11

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

Moved by Wieler, Seconded by Chiang

Ayes: Barbieri, Chiang, Keating, Wieler

Noes: None

Absent: Fujioka

PUBLIC FORUM

Ralph Catalano urged that either staff publicize its decision with regard to whether story poles will be erected in Blair Park to delineate the size and mass of the proposed construction of a sports complex in the park or this story pole matter be placed on the Council's next agenda for action. The City Administrator replied that issues regarding the type, scope, placement and funding of story poles are currently being discussed with the City Planner and a decision is forthcoming.

Lois Corrin invited the community to attend Piedmont's 14th annual celebration of Dr. Martin Luther King, Jr.'s birthday on Monday, January 17 at the Community Hall.

Patrick Dwyer referenced his letter to the City Administrator thanking the Fire Department's paramedics for saving his life on December 8.

Lynn Dee also requested that story poles be erected in Blair Park to indicate the exterior boundary lines of the proposed playfield project, including the berm. She also requested that park trees slated for removal be marked.

Al Peters referenced his e-mails to the Interim Public Works Director proposing an alternative plan for constructing a new sports field immediately adjacent to the City's Corporation Yard and Skate Park. He felt that funding to develop this alternative design concept should not be the responsibility of Moraga Canyon neighborhood residents.

REGULAR CALENDAR

The Council considered the following items of regular business:

Municipal Tax Review Committee

The Interim City Clerk recommended that in accordance with past Council practice, the Council approve the formation of a Municipal Tax Review Committee to examine the need for the City's Municipal Services Tax and recommend whether the tax should be continued and if so, at what rate. The City's current parcel tax (Measure D) expires June 30, 2013, and in FY 10-11 accounts for 8% of the City's General Fund revenue. In past years, the Tax Review Committee has also evaluated the need for the City's Sewer Tax and the Interim Clerk recommended that this task also be assigned to the committee. If the Council supports committee formation, the Interim Clerk outlined a timeline for committee recruitment, appointment, deliberation and final report preparation and submittal, noting that because the City's next municipal election will be in early February 2012, it will be necessary for the committee to meet and deliberate over this summer in order for the Council to have sufficient time to approve a proposed ballot measure for the 2012 election.

Public testimony was received from:

George Childs urged that the Council not renew the municipal services tax and instead concentrate on eliminating wasteful spending and curtailing the types of irresponsible fiscal decisions that have needlessly squandered City tax dollars.

The Council supported staff recommendation, agreeing that before finalizing the committee's charge, staff provide the Council with the language of the expanded charge issued to the 2007 Tax Review Committee. The Council also requested that all prospective candidates for appointment to the committee be advised of the committee's summer work schedule. The Council also supported having the committee examine the City's Sewer Tax, especially in light of pending litigation by the Environmental Protection Agency and a new stipulated order. It was suggested that the seven obligations set forth in the stipulated order be specifically included in the committee's charge.

Resolution 2-11

RESOLVED, that the City Council approves the formation of a Municipal Tax Review Committee and authorizes the Interim City Clerk to advertise the vacancies.

Moved by Chiang, Seconded by Wieler

Ayes: Barbieri, Chiang, Keating, Wieler

Noes: None

Absent: Fujioka

(0320)

Ordinance

The Interim Public Works Director, Chief Building Official and Fire Chief recommended first reading approval of Ordinance 696 N.S. adopting the 2010 California Residential Code, Building Code and Fire Code. They noted that the California building and fire codes set minimum standards for design and construction of new buildings, additions and alterations to protect the health, safety and welfare of building occupants, provide barrier-free accessibility of its users and set performance standards for building energy efficiency. All local jurisdictions are required to adopt the State's version of the code, which typically occurs on a three-year cycle. It has been Piedmont's practice to adopt the state codes and approve additional amendments to establish a higher building standard in order to provide greater safety to residents, reduce potential life and property loss and maintain the high quality of the City's architecture. These additional amendments are included in the proposed ordinance.

Resolution 3-11

RESOLVED, that the City Council adopts the first reading of Ordinance 696 N.S. amending Chapters 5 and 8 of the Piedmont Municipal Code to adopt the 2010 California Code of Regulations, Title 24, including the California Administrative, Building, Residential, Mechanical, Plumbing, Electrical, Energy, Fire, Green Building Standards and Reference Standards Code.

Moved by Chiang, Seconded by Wieler

Ayes: Barbieri, Chiang, Keating, Wieler

Noes: None

Absent: Fujioka

(0705)

ADJOURNMENT

There being no further business, Mayor Barbieri adjourned the meeting at 8:25 p.m.