

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, May 18, 2015

A Regular Session of the Piedmont City Council was held May 18, 2015, 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 14, 2015.

CALL TO ORDER

Following a 7:00 p.m. Closed Session for conference with real property negotiators (including the City and Verizon Wireless as negotiating parties, and the City Administrator and City Attorney as negotiators), regarding potential lease terms and payment for the Corporation Yard, 898 Red Rock Road, held pursuant to Government Code Section 54956.8, Mayor Fujioka called the meeting to order at 7:33 p.m. with the Pledge of Allegiance.

ROLL CALL

Present: Mayor Margaret Fujioka, Vice Mayor Jeff Wieler and Councilmembers Teddy Gray King, Robert McBain, and Tim Rood

Staff: City Administrator Paul Benoit, City Attorney Michelle Kenyon, Public Works Director Chester Nakahara, Fire Chief Bud McLaren, Planning Director Kate Black, Parks and Project Manager Mark Feldkamp, Senior Planner Kevin Jackson, and City Clerk John Tulloch

CONSENT CALENDAR

The following items were considered on the Consent Calendar:

Minutes

Resolution 48-15

RESOLVED, that the City Council approves as submitted its meeting minutes of May 4, 2015.

Moved by King, Seconded by Wieler

Ayes: Fujioka, Wieler, King, McBain

Noes: None

Abstain: Rood

The Council considered the following two items under one vote:

Resolution

Approval of the following resolution, as amended by the Council, to be presented to volunteers at the Annual Volunteer Reception for 2015:

WHEREAS, volunteers are the keystone of the Piedmont community, enriching our town and improving the quality of life; and

WHEREAS, the City of Piedmont is especially fortunate to have the services of dedicated, hardworking, and intelligent individuals who generously volunteer to serve our City, and do so without monetary or other compensation; and

WHEREAS, the City Council of the City of Piedmont desires to acknowledge these contributions and honor those who have given of their time and talent to benefit their community; and

WHEREAS, a special celebration is planned to recognize individuals in the City who exemplify the spirit of volunteerism;

NOW, THEREFORE, BE IT RESOLVED, the Piedmont City Council hereby commends *John Q. Public* for services to the City of Piedmont and conveys its gratitude for a job exceedingly well done.

Purchasing Agreement

Approval of Purchasing Agreements with L.N. Curtis & Sons, Inc. and Bound Tree Medical, LLC, for Fire Department supplies.

Resolution 49-15

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

Moved by Wieler, Seconded by Rood

Ayes: Fujioka, Wieler, King, McBain, Rood

Noes: None

Absent: None

(0890, X1100, 0045)

PUBLIC FORUM

Liam Schindler spoke with regards to safety concerns at the intersection of Moraga and Mesa Avenues. He explained that it is difficult for drivers to see pedestrians in the crosswalk and suggested that a stoplight be added to the intersection.

Max McDonald spoke with regards to safety concerns at the intersection of Highland and Blair Avenues. He explained that the area is dimly lit, and that it is difficult for drivers to see pedestrians in the dark.

REGULAR CALENDAR

The Council considered the following items of regular business:

**Conditional Use Permit Modification
1300 Grand Avenue**

Mayor Fujioka announced that Agenda Item #4, an application for a Conditional Use Permit Modification for Happy Together Preschool at Kehilla Community Synagogue at 1300 Grand Avenue, was withdrawn by the applicant and will not be heard by the Council at this meeting or any future meetings.

**Resident Request
To Divest from Fossil
Fuel Related Stocks**

City Administrator Benoit explained that at the regular meeting of April 6, 2015, Dr. Julia Walsh spoke during Open Forum and asked that the Council consider writing a letter to CalPERS urging that they divest from fossil fuel related companies. Following her statement, Councilmember Rood requested that the matter be placed on a City Council agenda for discussion. City Administrator Benoit stated that Staff is seeking direction as to whether or not Council wishes to take action on this request.

Public testimony was received from:

Dr. Julia Walsh, a Piedmont resident, spoke regarding her concerns with climate change and asked the City of Piedmont to request that CalPERS divest from fossil fuel corporations. She explained what it means to divest from fossil fuel corporations and why she believes it to be important. She voiced her opinion that such a request of CalPERS would be in line with the City's environmental efforts and would send an important message to fossil fuel corporations. She reported on other cities that have taken similar action.

Madelyn Stelmach, Jonathan Becker, Margaret Ovenden, and Sandy Emerson, all spoke in support of Dr. Walsh's request to urge CalPERS to divest from fossil fuel corporations. They expressed their concerns with global climate change and the dangers of investing in fossil fuel companies. Ms. Stelmach and Ms. Ovenden stressed that it would be financially prudent for the City to invest in renewable energy, so as not to be left with stranded assets from fossil fuels. Mr. Becker suggested that the City take a unique position by offering to reinvest in the fossil fuel industry once it starts to invest in policies that support a smooth energy transition. Sandy Emerson reported that the California Democratic Convention passed a resolution in support of divestment from fossil fuel

companies and quoted a study claiming that fossil-free portfolios outperform conventional investment portfolios.

Councilmembers King and Rood spoke in favor of urging CalPERS to divest from fossil fuel corporations. Councilmember Rood presented statistics regarding global climate change and information on renewable energy investments. Councilmembers King and Rood argued that divestment from fossil fuel corporations is an important step to address current environmental concerns and is consistent with the City's existing environmental policies. They maintained that it is within the purview of the City Council, since the City is required to contribute funds to CalPERS and should be able to request that CalPERS divest from fossil fuel corporations. Councilmember King acknowledged that the City has not engaged in political issues beyond the narrow scope of Piedmont related matters, but voiced her opinion that Piedmont residents are increasingly asking the City to consider such environmental issues. Councilmember Rood argued that the discussion is one of policy, not politics, and cited a CalPERS policy acknowledging the need to consider its actions on future generations.

Mayor Fujioka, Vice Mayor Wieler, and Councilmember McBain spoke in opposition to requesting that CalPERS divest from fossil fuel corporations. They agreed that, notwithstanding the merits of the proposal and despite the importance of reducing greenhouse gas emissions, the issue of whether CalPERS divests from fossil fuel corporations is not within the purview of the City Council. They all cited the City's tradition of abstaining from taking a municipal stance on non-local, political issues, and were concerned about departing from this tradition. Vice Mayor Wieler argued that the City Council and the CalPERS Board have a fiduciary responsibility to invest their funds sensibly, and that it would be unwise for the City Council to reduce the options available to professional fund managers. Mayor Fujioka spoke in depth about the City's commitment to the environment, and she and Councilmember McBain agreed that the City's efforts are better spent focusing on ongoing local initiatives to reduce greenhouse gases, rather than taking a stance on an issue not within the control of the City Council.

Mayor Fujioka suggested that the community continue the discussion regarding fossil fuel divestment and consider a more general discussion about the Council's role in political issues such as these. The Council followed with a short discussion of political governance.

Resolution 50-15

RESOLVED, that the City Council takes no action on the resident request to support CalPERS divestment from fossil fuel related stocks.

Moved by Wieler, Seconded by McBain

Ayes: Fujioka, Wieler, McBain

Noes: King, Rood

Absent: None

(0459, 0747)

**Agreement for
City Hall Entry
Hallway Update**

City Administrator Benoit explained that on April 20, 2015, the City Council approved a plan and an estimated overall budget for the City Hall entryway project. He explained that the first phase of the project includes millwork and carpentry, and that the City solicited bids from three companies for this work.

He reported that the most competitive bid came from Mueller/Nicholls for \$54,000. City Administrator Benoit asked the Council to consider the approval of this contract, approve the overall Project Construction Budget, and authorize the Public Works Director to execute any change orders, provided that those changes fall within the approved project budget.

The Council was enthusiastically in support of this project, which is to be funded by a public/private partnership between the City and the Piedmont Beautification Foundation (PBF). Mayor Fujioka and Vice Mayor Wieler stressed the importance of these partnerships in making civic improvements and thanked PBF for their continued support. Mayor Fujioka also thanked Steve Nichols, a Piedmont resident and principal owner of Mueller/Nicholls, for providing the City carpentry work at cost only. Councilmember King thanked Parks and Project Manager Mark Feldkamp for his hard work and dedication on one of many beautiful plans.

Public testimony was received from:

Will Wrensen and Hunter Abel spoke briefly to ask questions about the project and express their support.

Resolution 51-15

RESOLVED, that the Piedmont City Council 1) authorizes the City Administrator to sign the contract with Mueller/Nicholls for Millwork & Carpentry related to the City Hall Entry Renovation Project based on their bid dated January 28, 2015, in the amount of \$54,000; 2) approves an overall Project Construction Budget of \$62,100 which includes a contingency of 15%; and 3) authorizes the Public Works Director to execute any contract change orders in accordance with the project contract documents so long as the total Project Cost does not exceed the total funding for this project in the adopted Project Construction Budget.

Moved by Rood, Seconded by King

Ayes: Fujioka, Wieler, King, McBain, Rood

Noes: None

Absent: None

(0045, 0270-0272)

**REPORTS AND
ANNOUNCEMENTS**

American Planning Association Northern California Chapter – Councilmember Rood reported that Piedmont representatives attended the American Planning Association Northern California Chapter Awards Ceremony, at which the City received an award for Outstanding Planning in a Small Jurisdiction. The award was given in recognition of the City’s policy that allows parking reductions in exchange for rent-restricted units. The Council commended the Planning Staff for their hard work on this issue.

Recreation Department – Councilmember King reported that the Recreation Department is focusing on their summer programming and will soon present results from their survey.

Budget Session – Mayor Fujioka reported on the success of the Council’s May 16, 2015, budget session and announced two additional budget sessions that will occur—on June 1 and June 15—prior to the adoption of the City budget.

Volunteer Reception – Mayor Fujioka announced that the Volunteer Reception will be held on May 27, 2015, at 6:30 p.m. at the Piedmont Community Hall.

The reception is being held to thank and congratulate all of the civic volunteers and to announce the recipient of the Piedmont Civic Volunteer of the Year Award.

Fourth of July Parade – Mayor Fujioka announced this year’s 50th anniversary of the Fourth of July Parade. She announced that Councilmembers will distribute candy via Candy Ambassadors who will walk the parade route with them. She encouraged residents to enter the contest for the best float.

StopWaste.org – Councilmember Rood reported that StopWaste.org has been discussing the possibility of expanding its ban on plastic bags to additional types of stores. He suggested that a representative from StopWaste.org brief the Council in the event that the proposal moves forward.

Committee Meetings – Mayor Fujioka reported that the IT Task Force will be meeting on May 19 at 6:30 p.m. at the EOC, and the Public Safety Committee will be meeting on May 28 at 5:30 p.m. in the Council Chambers. Councilmember McBain clarified that CIP meetings, Budget Advisory Committee meetings, and many other committee meetings are recorded, and that minutes of these meetings will be made available to the public.

ADJOURNMENT

There being no further business, Mayor Fujioka adjourned the meeting at 9:07 p.m.