

City Council Minutes
July 2, 2007

George Kersh, George Childs, David Naveh and Margaret Bowman sympathized with the Fairview neighborhood's problem, but opposed the proposed code changes because of the adverse impact such restrictions would have on the general community. They felt it was inappropriate and unreasonable to prevent residents from parking their cars on their own driveways while away on business or vacations or restrict residents whose hobbies involve collecting or working on old cars. In addition, they stressed that many Piedmont properties do not have garages and thus driveways and streets are the only parking option for these residents. They felt that there were better solutions for solving Fairview's localized problem than the proposed code changes.

The City Administrator stated that since receipt of the petition, staff has been addressing the Fairview neighborhood's concerns and over the last two months, the piles of junk and inoperable vehicles parked on the individual's driveway have been removed. The remaining 12 to 14 cars parked on the street have been licensed. However, staff is investigating whether an auto repair/resale business is being conducted illegally within this residential zone and specific action is being prepared to address this issue long-term. He did not support the proposed code changes for the reasons cited in his staff report, other than the transfer of vehicle nuisance enforcement from his office to the police department. However, he and the Police Chief cautioned that police enforcement would not be any more expedient than the existing abatement process. The City Administrator was confident that pursuing abatement remedies already available under existing law will resolve the neighborhood's concerns.

The Council preferred that the City Administrator continue to pursue relief pursuant to existing law and submit a follow-up report at a future meeting. In the interim, the Council suggested that the neighborhood consider discussing with the police department the designation of a "residential parking zone" as a means of limiting the number and duration of time that cars can be parked on the street.

Utility Undergrounding Policy

Per Council discussion of May 21 and June 4, the City Clerk submitted a revised Utility Undergrounding Policy for Council review and approval. The Vice Mayor requested that the policy be further amended to explain in Section #10 the process to be followed when proposed districts choose to ballot based upon the engineer's estimate rather than firm bids. The City Clerk agreed to do so.

Public testimony was received from:

George Childs reiterated his May 21 and June 4 concerns over allowing City Rule 20A funds to be used for private Rule 20B projects and repeated his request that the proposed policy include a specified ballot approval percentage necessary to obtain Council approval for district formation and lien assessments. He recommended that this percentage level be 66-2/3.

Resolution 58-07

RESOLVED, that the City Council approves the proposed Utility Undergrounding Policy, as amended to incorporate the Vice Mayor's request to include an explanation of procedures for districts that choose not to obtain construction bids before balloting.

Moved by Friedman, Seconded by Chiang
Ayes: McEnroe, Friedman, Chiang, Keating
Noes: None
Absent: Barbieri
(0045/X1075)

The City Administrator stated that the proposed Hampton/SeaView Utility Undergrounding District has been waiting for Council approval of the above policy prior to submitting its proposal. The Administrator advised that only the Mayor and Councilmembers Barbieri and Keating can consider the Hampton/SeaView petition (Councilmembers Friedman and Chiang are recused for conflict of interest reasons). The Administrator noted that the required quorum may not be available on August 6, so therefore he recommended that this issue be scheduled for consideration on August 20, provided Councilmember Barbieri is available for that meeting. The Vice Mayor voiced his strong preference that the Council recess for the entire month of August and take the matter up in September.

ANNOUNCEMENTS

Centennial Float – the Mayor congratulated members of the Centennial Committee on its float winning 2nd Place at the Alameda County Fair. She noted that this float will be featured in Piedmont’s July 4th Parade. The Mayor and Vice Mayor encouraged residents to participate in the various activities scheduled as part of the community’s July 4th Celebration.

City Survey – the Mayor reported that the results from the City’s citywide survey conducted by the Planning Commission in connection with the General Plan Update have been compiled. These results will be submitted at a future Council meeting.

ADJOURNMENT

There being no further business, Mayor McEnroe adjourned the meeting at 9:15 p.m.