

balloting process whereby affected property owners vote to either approve or reject district formation

The Council requested Engineer of Work to submit a proposed boundary map with alternative options for including or deleting the cited Bellevue and Mountain intersection properties for Council review at its September 2 meeting. If possible, preliminary assessment cost estimates are also to be provided.

The Mayor recessed the meeting at 9:25 p.m. for a ten-minute break. Councilmember Friedman returned to the meeting.

**Public Hearing:
Proposed Piedmont
Hills Underground
Utility District**

The Mayor opened a public hearing regarding the proposed boundary of the Piedmont Hills Underground Utility District for the purposes of soliciting testimony from affected property owners regarding their desire to be included or excluded from the proposed district. The proposed district includes the Sotelo, Glen Alpine, LaSalle, Crest, St. James and Calvert Court neighborhoods.

Public testimony was received from:

Jennifer Hughes of 61 Glen Alpine stated that she owns three separate parcels within the proposed district and supported creation of the district provided she is not required to pay three separate assessments.

Laura Pescetti of 54 LaSalle requested inclusion within the proposed district.

Carl Anderson, district proponent, stated that there is 80% support in the Sotelo/Glen Alpine loop for district formation provided all properties within the loop are assessed the same amount to reflect the equal benefit each property will receive as a result of undergrounding. He also stated that eight properties along Hampton have been invited to participate in the district.

Carl Foorman, Treasurer of the Sotelo/Glen Alpine loop portion of the proposed district, concurred with Judge Anderson's statements and reiterated his belief that the district will be defeated unless all assessments within the loop portion are the same.

Barbara Bee of 17 Sotelo underscored Messrs. Anderson and Foorman's comments concerning the Sotelo/Glen Alpine loop neighborhood's insistence that every property within the loop pay the same assessment to reflect equal benefit. The neighborhood opposes assessment rates based upon lot size.

Ron Rubenstein of 360 Hampton stated that he and 2, 5 and 370 Hampton wish to be included in the proposed district. He added that 369 Hampton opposes inclusion and he has been unable to contact 340 Hampton re its support or opposition.

Susan Byers, speaking on behalf of the owners of 395 Hampton, relayed 395 Hampton's opposition to being included in the proposed district, citing concerns over cost, construction mess, street tree damage and inconvenience. It was noted that PG&E has determined that 395 Hampton must be included in the district.

Barbara Barza of 369 Hampton requested exclusion from the proposed district, stating that she does not view the overhead utility lines and therefore will receive no personal benefit from undergrounding. She inquired if undergrounding assessments are “tax deductible.”

Clifford Fried of 105 Calvert Court supported formation of the proposed district and stated that he and 135, 143, 129, 109 and a 6th parcel along Calvert Court wish to be included in the district. Only 109 and 129 Calvert Court oppose inclusion. He noted that some of the Calvert Court properties are in the City of Oakland and he inquired re the process for including these parcels within a Piedmont utility undergrounding district.

Mark Haggerty of 25 Calvert Court stated that 11 of 16 homes in the Calvert Court neighborhood support inclusion in the proposed district and have contributed \$2,000 each to help cover preliminary engineering costs.

Francoise Putting of 49 Crest Road inquired regarding the details of the Engineer of Work contract.

Denny McLeod, district proponent, cautioned the Council not to request extra work from the Engineer of Work since the engineer’s costs are being borne by district proponents and the proponents’ agreement with the City for this contract contains a “not to exceed” clause regarding costs.

Sam Sperry, the City’s Bond Counsel consultant, explained the process for including Oakland properties within the proposed district and Ms. Pawson of Harris & Associates, the Engineer of Work, explained how properties within a proposed district can be segregated into “zones” for the purposes of determining cost assessments.

The Council acknowledged the widespread support for the proposed Piedmont Hills Undergrounding Utility District and requested that a boundary map, including 54 La Salle Avenue, be submitted for Council review at its September 2 meeting.

Ordinance

The City Planner reported on July 1, 2003, a new state law will go into effect requiring cities to ministerially review and approve all second unit housing applications. She submitted a proposed ordinance amending Chapter 17D of the City Code to comply with this new state law. She noted that on June 9 the Planning Commission reviewed this proposed ordinance and recommended Council adoption. The Planner reviewed the potential consequences to Piedmont if it fails to abide by the state’s new regulations with regard to processing and approving second unit applications.

Public testimony was received from:

George Kersh voiced his strong opposition to the new state law, citing concerns over its potential impact of increasing housing density within Piedmont and thereby reducing the community’s quality of life. He requested that staff publicize on a regular basis how many second units are being approved and the location of said units.