

PIEDMONT CITY COUNCIL

Regular Meeting Minutes for Monday, March 6, 2017

A Regular Session of the Piedmont City Council was held March 6, 2017, in the City Hall Council Chambers at 120 Vista Avenue. In accordance with Government Code Section 54957(b), the agenda for this meeting was posted for public inspection on March 2, 2017.

- CALL TO ORDER** Mayor Wieler called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.
- ROLL CALL** Present: Mayor Jeff Wieler, Vice Mayor Bob McBain, and Councilmembers Jennifer Cavanaugh, Teddy Gray King and Tim Rood
- Staff: City Administrator Paul Benoit, City Attorney Michelle Marchetta Kenyon, Deputy City Attorney Judith Robbins, Fire Chief Warrant “Bud” McLaren, Planning Director Kevin Jackson, Public Works Director Chester Nakahara, Senior Planner Pierce Macdonald-Powell, Parks and Project Manager Nancy Kent, and City Clerk John Tulloch
- CONSENT CALENDAR** The following items were considered under one vote by the Council:
- Minutes** Approval of Council Meeting Minutes for 01/23/17 and 02/06/17
- Park Commission Liaison** Appoint Councilmember McBain as Liaison to the Park Commission (0085)
- 2nd Reading of Ord. 727 N.S. Purchasing** Approve the 2nd Reading of Ord. 727 N.S. – Revising and Updating Purchasing Statutes Policies and Procedures and Approval of a Full Revision of Administration/Finance Policy #9 – Purchasing Policy and Procedures (0705, 0795)
- Agreement with Judith Robbins for Consulting Services** Approval of an Amendment to the City’s Agreement with Judith Robbins for Consulting Services to Extend the Period of Time for Completion of the Work and Increase the Compensation Limit to \$45,000 (0045)
- Resolution No. 9-17**
RESOLVED, that the City Council approves Consent Calendar Items 1-4.
Moved by King, Seconded by McBain
Ayes: Cavanaugh, King, McBain, Rood, Wieler
Noes: None
Absent: None
- Affirm Mayor’s Conf. Resolution Regarding Discrimination** City Administrator Benoit discussed the recent Alameda County Mayor’s Conference meeting and the resolution passed unanimously by the Mayors Condemning Violence and Hate Speech, Expressing Solidarity with All Those Targeted for their Ethnicity, Race, Religion, Sexual Orientation, Gender, Ability, or National Origin and In Support of Immigrants and Refugees. He explained the purpose of the item on the agenda was to allow the full Council to approve the resolution.
- Councilmember Rood pulled the item for public comment and Council discussion, indicating that he wanted to ensure this matter received the attention it deserved.

The Council thanked Councilmember Rood for pulling this matter from the Consent Calendar. They thanked the Mayor for his affirmative vote at the Mayors' Conference meeting. Council also thanked the Piedmont Appreciating Diversity Committee for its efforts to promote diversity in Piedmont. The Council stated that affirming the City's commitment to diversity was an important symbolic action.

Resolution No. 10-17

WHEREAS, on February 8, 2017, the Alameda County Mayors' Conference (ACMC) unanimously passed Resolution 01-17, which condemns violence and hate speech, expresses solidarity with all those targeted for their ethnicity, race, religion, sexual orientation, gender, ability, or national origin and in support of immigrants and refugees; and

WHEREAS, the City Council of the City of Piedmont shares the values expressed in ACMC Resolution 01-17, and supports the recitals and declarations made in the resolution;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Piedmont affirms the action of the Alameda County Mayors' Conference in passing Resolution 01-17, Condemning Violence and Hate Speech, Expressing Solidarity with All Those Targeted for their Ethnicity, Race, Religion, Sexual Orientation, Gender, Ability, or National Origin and In Support of Immigrants and Refugees.

Moved by Rood, Seconded by Cavanaugh
Ayes: Cavanaugh, King, McBain, Rood, Wieler
Noes: None
Absent: None
(0890)

PUBLIC FORUM

Xavier Woodruff-Madeira, Piedmont High School student, addressed the Council regarding the Climate Action Plan Task Force candidates and encouraged the Council to appoint his mother.

Katy Savage, Piedmont High School student, suggested installing mesh around the storm drains to prevent rain debris from clogging the drains.

Shannon Baack, Piedmont High School student, suggested a crosswalk and signage be installed on St. James to improve pedestrian safety.

REGULAR AGENDA

**1st Reading of
Ord. 728 N.S.
Planning and Zoning
Revisions**

The Council considered the following items of regular business:

City Administrator Benoit introduced the subject of Planning and Zoning Revisions, stating that the agenda report before the Council tonight was the same one that had been considered at the Council's work sessions on January 11th and 23rd.

Planning Director Kevin Jackson presented the staff report, explaining the proposed code revisions, the Planning Commission's consideration and recommendations and a summary of the actions requested of the Council.

Planning Commission Chair Eric Behrens discussed the public process leading to the Commission's recommendation and urged the Council to approve the recommended actions as a benefit to the community.

Councilmember McBain asked, given the amount of work that has been done on these proposed revisions, and the general consensus on a vast majority of them, whether it might be possible to remove the two major areas of public interest, namely Short Term Rentals and the regulations for the Grand Avenue Sub Area of Zone D, from the proposal and consider the remainder this evening. He indicated that he asked this question in an effort to continue movement on the overall process, while allowing for further public input on areas of great interest.

The City Administrator indicated that, if Council desires to follow Vice Mayor McBain's suggestion, the way that could be accomplished would be to revert the regulation of Short Term Rentals as well as specific site and parking regulations for the Grand Avenue Sub Area of Zone D to the status quo, so that these regulations would remain as they currently exist in Chapter 17.

The Council discussed the Vice Mayor's suggestion and agreed that it could be a prudent way to allow consideration of the majority of the proposed revisions, while allowing additional public input with regard to Short Term Rentals and the regulations for the Grand Avenue Sub Area of Zone D.

Public Testimony was received from:

Stephen Dawson-Haggerty urged the Council to prohibit short term rentals.

Joy Koletsky Jacobs thanked the Council for deferring the Grand Avenue Sub Area regulations and requested residents be notified when the Council takes that issue up.

Mark Loper stated he would address the Council when it considered the Grand Avenue Sub Area of Zone D.

Ted Kinch addressed the Council regarding changes to the Civic Center area of Zone D. He expressed concern regarding increased development areas and impact on parking and traffic.

Miguel DeAvila commended the Council for separating out Zone D and short term rental regulations.

Dimitri Magganas commended the Planning Commission and staff. He urged the Council to prohibit Airbnb in Piedmont.

Mr. Jackson summarized the revisions to the proposed ordinance that will be required to implement the Council's intent to revert the regulations regarding Short Term Rentals as well as the Grand Avenue Sub Area of Zone D to the status quo, additional revisions to the regulations regarding signs, regulations for ground floor commercial spaces, and other minor revisions to the proposal.

The City Attorney and Planning Director suggested that the Council defer consideration of the interim design guidelines, which can be adopted by resolution, until the Council takes up the ordinance for second reading.

The Council discussed the proposed revisions at length, asking questions regarding signs, changes to parking requirements, minimum lot size, maximum lot coverage, multi-family housing in Zone C, home occupations, allowed uses in Zone B, among others.

The Council agreed with efforts to simplify the planning process and reduce the need for variances. The Council also discussed that some of proposed revisions were designed to bring the City's planning and zoning regulations into conformance with the letter and spirit of federal, state and regional requirements regarding housing.

Resolution No. 11-17

Resolved, that the City Council approves the first reading of Ord. 728 NS, with those revisions discussed by staff to defer consideration of amendments to the zoning code regarding Short Term Rentals as well as site and parking regulations in the Grand Avenue Sub Area of Zone D such that those regulations remain as they currently exist in Chapter 17 as well as revisions regarding signs.

Moved by McBain, Seconded by Cavanaugh
Ayes: Cavanaugh, King, McBain, Rood, Wieler
Noes: None
Absent: None
(0705, 0795)

**1st Reading of
Ord. 729 N.S. -
Linda Beach Playfield
Use Restrictions**

City Administrator Benoit explained that temporary use restrictions for Linda Beach Playfield, approved by the Council to accommodate uses displaced during the renovation of Hampton Park, are set to expire in April.

Recreation Director Sara Lillevand explained that temporary regulations, which allowed for scheduled Sunday use of the field, which was previously prohibited, and expanded the hours that scheduled use is allowed, were well received by users of the field as well as the neighborhood.

She reviewed the Recreation Commission's consideration of this issue over three meetings and their recommendation that the temporary use restrictions be made permanent. She also indicated that the Commission recommended that the field be unscheduled and open for community use at least four hours each weekend.

Ms. Lillevand noted several provisions of Section 3.8.3 which need to be revised to clarify the intent of the regulations and an inconsistency between two provisions of the code. She indicated that revised language would be brought back to the Council at the second reading of the ordinance.

The Council indicated support for the proposed ordinance and the importance of unscheduled community use of the field. They recognized individuals advocating for family use of Linda Beach Field.

There was no public testimony on this matter.

Resolution No. 12-17

Resolved, that the Council approves the 1st Reading of Ord. 729 N.S. amending Section 3.8 of the City Code to allow for expanded weekend use of Linda Beach Playfield, including the revisions suggested by staff.

Moved by Cavanaugh, Seconded by King
Ayes: Cavanaugh, King, McBain, Rood, Wieler
Noes: None
Absent: None
(0705)

Ambulance User Fee City Administrator Benoit explained that the Alameda County Board of Supervisors set fees for contracted agencies. He stated the current fees were set in 2014 and the proposed fees brought rates to consistent levels.

Fire Chief McLaren explained payments made by Piedmont residents.

There was no public testimony on this matter.

Resolution No. 13-17

Resolved, that the City Council approves the proposed Third Amendment to the Emergency Medical Services First Responder Advanced Life Support and Ambulance Transport Services Agreement with Alameda County, and approve the ambulance user fee increase called for in the Third Amendment to Agreement.

Moved by King, Seconded by Rood

Ayes: Cavanaugh, King, McBain, Rood, Wieler

Noes: None

Absent: None

(0045, 0465)

**REPORTS AND
ANNOUNCEMENTS**

Councilmember King announced that Hampton Field would be open for baseball practice on March 7, with an Open House Celebration on March 25, 2017, from 3-4:30 pm. She also encouraged residents to sign up for summer camps.

Councilmember Cavanaugh commended the Recreation Department on its innovative programming and announced upcoming parent programming on speaking to teens and tweens on the subject of intimacy on March 8. She encouraged participation in Readmont, the “one city, one book” project for 2017.

Mayor Wieler urged residents to apply for City Commissions and reminded residents that applications are due on Monday, March 20th and that interviews will be held at a Special City Council Meeting on March 27th.

Mayor Wieler announced that the Alameda County Grand Jury was soliciting volunteers and that application materials are available on the City’s web site.

FUTURE AGENDA ITEMS

City Administrator Benoit discussed a recent request to revisit divestment from CalPERS and fossil fuels. By consensus, the Council agreed to consider the request.

ADJOURNMENT

There being no further business, Mayor Wieler adjourned the meeting at 9:46 p.m.