

City of Piedmont
COUNCIL AGENDA REPORT

DATE: March 1, 2010

FROM: Mayor Dean Barbieri

SUBJECT: **Consideration of the Interim Appointment of Judge Ken Kawaichi (Ret.) as a Member of the City Council Audit Sub-Committee for Purposes of Investigating the Piedmont Hills Underground Assessment District**

RECOMMENDATION

Approve the interim appointment of Judge Ken Kawaichi (Ret.) to the City Council Audit Sub-Committee for purposes of investigating the Piedmont Hills Underground Assessment District.

BACKGROUND

As part of the City Council's on-going effort to understand the financial and construction related problems of the Piedmont Hills Underground Assessment District, Vice Mayor John Chiang and I have been selected to conduct a full investigation of the bidding, contracting and construction management of the district. The City Council wishes this process to be as fully open and transparent to the public as possible.

As part of that commitment, I have asked Piedmont resident and retired Alameda County Superior Court Judge Ken Kawaichi to serve in an interim capacity on the City Council Audit Sub-Committee related to this matter. Judge Kawaichi served for 28 years on the Alameda County Municipal and Superior Courts, and currently serves as a neutral for JAMS, a dispute resolution service. He has extensive experience with legal cases involving issues similar to those present in this construction project, including construction, construction defect, employment, contract, and public entity law matters. I believe his expertise will greatly assist the Audit Sub-Committee in analyzing the issues related to the Piedmont Hills Underground Assessment District project.

I recommend that the City Council formally approve Judge Kawaichi's appointment to this sub-committee of the Audit Committee.

I also urge all residents who are interested in this subject to visit the front page of the city's web site at www.ci.piedmont.ca.us to sign up for emailed notification and agendas of all meetings of the Audit sub-committee. Primary source documents relating to the project have already been posted at this site.