



Emeryville City Hall
1333 Park Avenue
Emeryville, CA 94608

CITY OF EMERYVILLE
AGENDA
City Council

(510) 596-4300 phone
(510) 450-7831 fax

www.emeryville.org

Members:

Scott Donahue Mayor
John J. Bauters Vice Mayor
Dianne Martinez Council Member
Ally Medina Council Member
Christian R. Patz Council Member

REVISED

Tuesday, March 21, 2017

7:16 PM

Council Chambers

A COMPLETE COPY OF THE AGENDA PACKET IS AVAILABLE FOR PUBLIC VIEWING IN THE CITY CLERK'S OFFICE AT 1333 PARK AVENUE, AND THE GOLDEN GATE BRANCH OF THE OAKLAND PUBLIC LIBRARY, 5433 SAN PABLO AVENUE. ADDITIONAL PUBLIC VIEWING & REPRODUCTION AT THE UPS STORE, 2340 POWELL STREET, FROM THE FRIDAY BEFORE THE COUNCIL MEETING. ALL WRITINGS THAT ARE PUBLIC RECORDS AND RELATE TO AN AGENDA ITEM BELOW WHICH ARE DISTRIBUTED TO A MAJORITY OF THE LEGISLATIVE BODY LESS THAN 72 HOURS PRIOR TO THE MEETING NOTICED ABOVE WILL BE MADE AVAILABLE AT THE INFORMATION COUNTER AT CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CALIFORNIA DURING NORMAL BUSINESS HOURS (9AM TO 5PM., MONDAY THROUGH FRIDAY, EXCLUDING LEGAL HOLIDAYS). THE MEETING IS SHOWN LIVE ON THE CITY OF EMERYVILLE TELEVISION CHANNEL (ETV), CABLE CHANNEL 27, AND WILL BE REBROADCAST AS PART OF THE REGULAR CITY COUNCIL, SUCCESSOR AGENCY, COMMUNITY DEVELOPMENT COMMISSION, MANAGEMENT OF EMERYVILLE SERVICES AUTHORITY (MESA) AND RELATED MEETINGS ACCORDING TO THE PUBLISHED ETV SCHEDULE OF PROGRAMS. THESE MEETINGS WILL ALSO BE AVAILABLE THROUGH LIVE MEDIA STREAMING ACCESSIBLE FROM THE CITY OF EMERYVILLE WEBSITE AT [HTTP://WWW.EMERYVILLE.ORG](http://WWW.EMERYVILLE.ORG).

You can request free copies of the Emeryville City Council, Successor Agency, Community Development Commission, Management of Emeryville Services Authority (MESA) and related agendas in digital format for the current calendar year by going to our website at <http://www.emeryville.org> and clicking on "Notify Me". Simply fill out your information, check "City Council Agendas", and click the "Subscribe" button. By doing so, you will automatically receive all of the agendas for the year via email.

All matters listed under CONSENT CALENDAR are considered to be routine and will all be enacted by one motion in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the time the Council votes on the motion to adopt. Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Presiding Officer calls for comments from those persons who are in support of or in opposition thereto. After persons have spoken, the Hearing is closed and brought back to Council level for discussion and action. There is no further comment permitted from the audience unless requested by the Council.

The speaker's time is limited to 3 minutes and can only be extended upon approval of the Presiding Officer. Any person who desires to address the City Council on any item listed on the Agenda under the Consent Calendar, or on a matter not on the Agenda which item is within the subject matter jurisdiction of the City Council, may do so during that portion of the Agenda called Public Comment.

In compliance with the Americans with Disabilities Act, a person requiring an accommodation, auxiliary aid, or service to participate in this meeting should contact the City Clerk's Office or ADA Coordinator at (510) 596-4300, as far in advance as possible but no later than 72 hours before the scheduled event. The best effort to fulfill the request will be made. Assistive listening devices are available for anyone with hearing difficulty from the City Clerk prior to the meeting, and must be returned to the City Clerk at the end of the meeting.

No animals shall be allowed at or brought in to a public meeting by any person except (i) as to members of the public or City staff utilizing the assistance of a service animal, which is defined as a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability, or (ii) as to police officers utilizing the assistance of a dog(s) in law enforcement duties.

The AGENDA for this regular meeting is as follows:

1. CALL TO ORDER AND COUNCIL MEMBER OATH AND SONG

2. ROLL CALL

3. APPROVAL OF FINAL AGENDA

4. SPECIAL ORDERS OF THE DAY

- 4.1. [ID-2017-125](#) State of the City Address (Mayor Scott Donahue / Carolyn Lehr)
- 4.2. [ID-2017-145](#) Proclamation Of The City Council Of The City Of Emeryville Declaring March 2017 as American Red Cross Month in the City of Emeryville. (Sheri Hartz)
Attachments: [Proclamation](#)

5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES

6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS

7. PUBLIC COMMENT FOR CONSENT AGENDA / ITEMS NOT ON THE AGENDA

8. CITY MANAGER'S REPORT

9. EX PARTE COMMUNICATIONS

10. CONSENT ITEMS

- 10.1. [ID-2017-161](#) Warrants. (Susan Hsieh)
Attachments: [Staff Report City](#)
[Wire Transfers City](#)
[Check Register City](#)
- 10.2. [ID-2017-149](#) Action Minutes of the March 7, 2017 Emeryville City Council Special Closed Session Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.3. [ID-2017-150](#) Action Minutes of the March 7, 2017 City Council Special Study Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.4. [ID-2017-151](#) Action Minutes of the March 7, 2017 City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.5. [ID-2017-152](#) Action Minutes of the March 7, 2017 Emeryville City Council Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.6. [ID-2017-144](#) Resolution Of The City Council Of The City Of Emeryville Approving The 2016 General Plan Annual Progress Report And Authorizing Submittal To The Governor's Office Of Planning And Research And To The California Department Of Housing And Community Development (Charles S. Bryant / Diana Keena / Catherine Firpo)
Attachments: [Staff Report](#)
[Resolution](#)
[Residential Site Inventory Update](#)
[2016 General Plan Annual Progress Report](#)
- 10.7. [ID-2017-140](#) Second Reading Of An Ordinance Of The City Council Of The City Of Emeryville Adding Article 21 To Chapter 5, And Amending Chapters 2, 3 And 7, Of Title 9 Of The Emeryville Municipal Code Regarding Short-Term Rental Of All Or Part Of A Dwelling. CEQA Status: Exempt Pursuant To CEQA Guidelines 15301 And 15061(b) (3) (Charles S. Bryant / Diana Keena)
Attachments: [Staff Report](#)
[Attachment 1 - Staff Report from March 7, 2017](#)
[Ordinance](#)

- 10.8. [ID-2017-094](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Public Works Director To Submit A Five Thousand Dollar (\$5,000) Funding Request To The California Department Of Resources Recycling And Recovery Beverage Container Recycling Grant Program (Cal Recycle) And Appropriate The Funds When Received To Fund 254 Project #01254105. (Maurice Kaufman / Marcy Greenhut)
Attachments: [Staff Report](#)
[Resolution](#)
[Program Guidelines](#)
- 10.9. [ID-2017-139](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Memorandum Of Understanding With The California Labor Commissioner's Office To Establish A Cooperative Partnership For Labor Standards Implementation And Enforcement (Charles S. Bryant / Chadrick Smalley / April Shabazz)
Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Memorandum of Understanding](#)
- 10.10. [ID-2017-138](#) Resolution Of The City Council Of The City Of Emeryville Confirming Compliance With Assembly Bill 2135 Regarding Surplus Land And Affordable Housing (Charles S. Bryant / Chadrick Smalley / Amber Evans)
Attachments: [Staff Report](#)
[Resolution](#)
- 10.11. [ID-2017-135](#) Resolution Of The City Council Of The City Of Emeryville Approving The Scope Of Work And Authorizing The City Engineer To Advertise For Public Bids For The Construction Of The Video Detection Traffic Signal Enhancement, Project No. EPW 17-101, CIP No. 15475006; CEQA Determination: Exempt Pursuant To 15301(c). (Maurice Kaufman / Ryan O'Connell)
Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Project Overview Map](#)
- 10.12. [ID-2017-111](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Filing Of An Application For Funding Assigned To The Metropolitan Transportation Commission (MTC) And Committing Any Necessary Matching Funds And Stating Assurance To Complete The Project. (Maurice Kaufman / Nancy Humphrey)
Attachments: [Staff Report](#)
[Resolution](#)
[Concept Plans](#)

11. PUBLIC HEARINGS

- 11.1. [ID-2017-141](#) Cannabis Regulations. (Andrea Visveshwara / Miroo Desai)
Attachments: [Staff Report](#)
[Attachment 1 - Feb. 7 , 2017 Staff Report \(w/o attachments\)](#)
- 11.1.1. [ID-2017-142](#) Introduction And First Reading Of An Ordinance Of The City Council Of The City Of Emeryville Amending The Planning Regulations In Title 9 Of The Emeryville Municipal Code To Add Article 22 To Chapter 5 Concerning Standards For Cannabis-Related Activities And To Make Other Related Modifications To The Planning Regulations; CEQA Determination: Exempt Pursuant To CEQA Guidelines Section 15061(b)(3)
Attachments: [Attachment 2 - Proposed Ordinance](#)
[Attachment 3 - Map: Cannabis Manufacturing](#)
[Attachment 4 - Map: Cannabis Retail \(250 ft. Buffer\)](#)
[Attachment 5 - Map: Cannabis Retail \(600 ft. Buffer\)](#)
- 11.1.2. [ID-2017-143](#) Introduction And First Reading Of An Ordinance Of The City Council Of The City Of Emeryville Repealing, Replacing, And Retitling Chapter 28 Of Title 5 Of The Emeryville Municipal Code, "Cannabis"; CEQA Determination: Exempt Pursuant To CEQA Guideline Section 15061(b)(3)
Attachments: [Attachment 6 - Proposed Ordinance](#)
[Attachment 7 - Comment Received](#)
- 11.2. [ID-2017-156](#) Resolution Of The City Council Of The City Of Emeryville Amending The City Of Emeryville Master Fee Schedule For Fiscal Year 2016-2017 Effective On March 24, 2017. (Maurice Kaufman / Susan Hsieh / Diana Keena)
Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Proposed Revisions](#)

12. ACTION ITEMS

- 12.1. [ID-2017-110](#) Resolution Of The City Council Of The City Of Emeryville Approving A Transportation Facility Impact Fee Credit Of \$500,000 To Wareham Property Group, On Behalf Of ES West Associates, LLC, For The EmeryStation West/Transit Center Project (Charles S. Bryant)
- Attachments:** [Staff Report](#)
[Resolution](#)
[Attachment 1 - Staff Report from January 17, 2017](#)
[Attachment 2 - Wareham Request Letter 03-01-17](#)
[Attachment 3 - Site Remediation Cost Summary 12-27-16](#)
[Attachment 4 - Legality of Application](#)
[Attachment 5 - Discussions with Wareham](#)
[Attachment 5, Exhibit A - Wareham Letter 9-26-16](#)
[Attachment 5, Exhibit B - Wareham Letter 10-10-16](#)
[Attachment 6 - History of Transit Center Project and Cost Increases](#)
- 12.2. [ID-2017-146](#) Introduction And First Reading Of An Ordinance Of The City Council Of The City Of Emeryville Repealing And Replacing Chapter 2 Of Title Four Of The Emeryville Municipal Code, "Emergency Plans"; CEQA Determination: Exempt Pursuant to Section 15061(b)(3) Of The California CEQA Guidelines. (Andrea Visveshwara / Lori Elefant)
- Attachments:** [Staff Report](#)
[Attachment - Proposed Ordinance](#)
- 12.3. [ID-2017-137](#) Resolution Of The City Council Of The City Of Emeryville Authorizing An Application For The California Arts Council's "California Cultural Districts Program" And Acknowledging City Arts District Partnerships (Charles S. Bryant / Chadrick Smalley / Emi Thériault)
- Attachments:** [Staff Report](#)
[Resolution](#)
- 12.4. [ID-2017-159](#) Amending The Rules Of Procedure For City Council Committees And Community Advisory Committees, Revising The 2017 Local Roster Of Boards, Commissions And Committees And Providing Direction On Related Committee Matters (Sheri Hartz)
- Attachments:** [Staff Report](#)
[Definitions/Descriptions Exhibit](#)
[Committee Questions](#)
[Committee Feedback Chart](#)

- 12.4.1. [ID-2017-170](#) Resolution Of The City Council Of The City Of Emeryville Amending The Regular Meeting Schedules Of The Budget Advisory Committee, The Budget And Governance Committee, The Public Art Committee, The Public Works Committee, The Sustainability Committee And The Transportation Committee; And Amending The Local Roster Of Boards, Commissions And Committees Accordingly.

Attachments: [Resolution](#)

[Proposed Roster Revisions in Redline Format](#)

- 12.4.2. [ID-2017-171](#) Resolution Of The City Council Of The City Of Emeryville Amending The Rules Of Procedure For Local Boards, Commissions And Committees Of The City Of Emeryville.

Attachments: [Resolution](#)

[Exh. A - Proposed Rules in Redline Format](#)

[Current Committee Rules of Procedure](#)

13. COMMUNICATION AND REPORTS

13.1. Department Heads

13.2. Council Members Reporting on Meetings Attended

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

15. ADJOURNMENT

16. LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

- 16.1. [ID-2017-163](#) **Please Note: This list is for informational purposes only.** All items shown here are tentative at this time and are not confirmed until the agendas for the meeting dates are published and posted, 11 days prior to the meeting. Also note that this list shows working titles, which may be revised slightly before the item becomes final.

April 4, 2017 Regular City Council Meeting

- Safe Routes to School Accepted as Complete
- Ordinance Second Reading: Cannabis (EMC Titles 5 & 9)
- Public Hearing: 3706 San Pablo Loan and DDA Amendment
- Mid-Cycle Budget Review
- Community Grants Recommendations
- Director's Report on 3/23/17 Planning Commission Meeting

April 18, 2017 Regular City Council Meeting

- Study Session: Stanford Health Center Valet Parking and Transportation Report
- Public Hearing: Updated Development Impact Fees for FY 2017/18
- Housing Committee Appointment
- Recreation Center Site RFP for Senior Housing

When published, the packets for City Council meetings can be viewed online at

<http://www.ci.emeryville.ca.us/88/Video-Agendas-Reports-Minutes-Archive>

THE NEXT REGULAR MEETING WILL BE ON APRIL 4, 2017, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608