



CITY OF EMERYVILLE
AGENDA
City Council

Emeryville City Hall
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Emeryville, CA 94608

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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

Tuesday, February 7, 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-2017-061](#) Introduction of Community and Economic Development Coordinator
II Emi Theriault (Charles S. Bryant / Chadrick Smalley)

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-2017-071](#) Warrants. (Susan Hsieh)

Attachments: [Staff Report City](#)
[Wire Transfers City](#)
[Check Register City](#)

- 10.2. [ID-2017-062](#) Action Minutes of the January 17, 2017 Emeryville City Council/Management of Emeryville Services Authority Special Closed Session Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.3. [ID-2017-065](#) Action Minutes of the January 17, 2017 Emeryville City Council Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.4. [ID-2017-081](#) Resolution Of The City Council Of The City Of Emeryville Accepting the Award of the Sustainability Directors Network Sustainable Consumption in Cities Grant, Authorizing the City Manager to Take Actions Necessary to Secure the Award And Appropriating Said Grant Funds In The Amount Of \$6,108 To General Fund Account 4050-55300 To Develop A Pilot Program To Reduce Food Waste At The Emeryville Center For Community Life (ECCL) And In Community Services' Events (Maurice Kaufman / Nancy Humphrey)
Attachments: [Staff Report](#)
[Resolution](#)
[Award Letter](#)
- 10.5. [ID-2017-058](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute An Amendment To Contract #CSPP-6008 With The Department Of Education, Office Of Child Development, For Fiscal Year 2016-2017 Reducing The Amount From \$171,424 To \$150,572 And Appropriate Said Funds When Received To Account 230-53600. (Pedro Jimenez)
Attachments: [Staff Report](#)
[Resolution](#)
[Attachment: Resolution No. 16-115.State.ECDC.081616](#)
[Amended Contract CSPP #6008](#)
- 10.6. [ID-2017-080](#) Resolution Of The City Council Of The City Of Emeryville Appropriating \$40,000 From The Affordable Housing Fund (Fund 299) To Homeless Programs In The Economic Development And Housing Division Budget For Fiscal Year 2016-17 (Account Number 299-87420) For Homeless Services (Charles S. Bryant / Chadrick Smalley / Catherine Firpo)
Attachments: [Staff Report](#)
[Resolution](#)
[Attachment 2 - Homeless Strategy](#)

- 10.7. [ID-2017-068](#) Postponement Or Consideration Of Resolution Of The City Council Of The City Of Emeryville Approving A Transportation Facility Impact Fee Credit Of \$728,633.13 To Wareham Property Group, On Behalf Of ES West Associates, LLC, For The EmeryStation West/Transit Center Project (Charles S. Bryant)

Attachments: [Staff Report](#)

[Item from January 17, 2017 City Council agenda](#)

- 10.8. [ID-2017-060](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Contract With DC Electric Inc. In An Amount Not To Exceed \$193,928 For The Construction Of The Lumec Streetlight LED Retrofit Project, EPW 106-16 (CIP #15475015). (Maurice Kaufman / Michael Roberts)

Attachments: [Staff Report](#)

[Resolution](#)

[Agreement - DC Electric](#)

[Exhibit A: Lumec LED Project Overview Map](#)

11. PUBLIC HEARINGS

- 11.1. [ID-2017-066](#) 3706 San Pablo Avenue Affordable Housing Project (Charles S. Bryant / Chadrick Smalley)

Public Hearing In Accordance With The Tax And Equity Fiscal Responsibility Act ("TEFRA") In Connection With The Proposed Issuance Of Revenue Bonds By The California Municipal Finance Authority ("CMFA"), A Joint Exercise Of Powers Authority And Public Entity Of The State Of California, In An Aggregate Amount Not To Exceed \$50,000,000, For The Development Of Affordable Housing At 3706 San Pablo Avenue/1025 West MacArthur Boulevard, Emeryville, California ("Project")

Resolution Of The City Council Of The City Of Emeryville Approving And Authorizing The Execution Of A Joint Exercise Of Powers Agreement Relating To The California Municipal Finance Authority And Approving The Issuance Of Revenue Bonds By The Authority To Finance An 87-Unit Affordable Multifamily Rental Housing Facility For The Benefit Of 3706 San Pablo Emeryville, L.P., Or Another Limited Partnership To Be Formed By EAH Inc. (Or An Affiliate) And Certain Other Matters Relating Thereto

Attachments: [Staff Report](#)

[Resolution](#)

[Exhibit A - Joint Exercise of Powers Agreement](#)

12. ACTION ITEMS

12.1. [ID-2017-079](#) Discussion Of State And Federal Legislative Priorities (Carolyn Lehr)

Attachments: [Staff Report](#)
 [2017 Legislative Agenda](#)

12.2. [ID-2017-069](#) Resolution Of The City Council Of The City Of Emeryville Amending The Regular Meeting Schedule Of The Public Safety Committee To The Second Thursday Of Every Month At 4:00 PM, And Amending The FY2016-2017 Local Roster Of Boards, Commissions And Committees Accordingly. (Sheri Hartz / Lorraine Leong)

Attachments: [Staff Report](#)
 [Resolution](#)
 [Proposed Public Safety Committee Roster](#)

12.3. [ID-2017-067](#) Resolution Of The City Council Of The City Of Emeryville Confirming _____ As The Mayor's Appointment To The Emeryville Oversight Board Pursuant To Health And Safety Code Section 34179(a)(2). (Sheri Hartz / Lorraine Leong)

Attachments: [Staff Report](#)
 [Resolution](#)

12.4. [ID-2017-070](#) Resolution Of The City Council Of The City Of Emeryville Appointing Chadrick Smalley, Member Of The Emeryville Association Of Confidential, Administrative, Managerial And Professional Employees ("CAMP"), As The Mayor's Appointment To The Emeryville Oversight Board Of The City Of Emeryville As Successor Agency To The Emeryville Redevelopment Agency ("Emeryville Oversight Board"), Pursuant To California Health And Safety Code Section 34179(A)(7). (Sheri Hartz / Lorraine Leong)

Attachments: [Staff Report](#)
 [Resolution](#)

13. COMMUNICATION AND REPORTS

13.1. Department Heads

13.1.1. [ID-2017-057](#) Planning Director's report on Planning Commission actions at the January 26, 2017 meeting:

- (a) Sherwin Williams - Architectural Final Development Plan - A study session to solicit comments on the Final Development Plan (FDP) design concept for buildings in the Sherwin Williams Planned Unit Development site.
- (b) Sherwin Williams - Public Park and Open Space Final Development Plan - A study session to solicit comments on the Final Development Plan (FDP) conceptual design programming of the public park and other public open spaces within the Sherwin Williams Planned Unit Development site.
- (c) Ocean View Townhomes - A study session to review a proposal to demolish an existing single family home and replace it with a four-unit residential building at 1270 Ocean Avenue. *
- (d) Public Market Directional Master Sign Program - A study session to review a Master Sign Program covering Public Market Parcels A, B, C, D, G, the tower building and Christie Avenue Park.
- (e) Short-Term Rental Ordinance -Consideration of amendments to Title 9 of the Emeryville Municipal Code to add Article 22 on Short-term Rentals and to add provisions pertaining to Short-term Rentals to other sections. **

* Item will require City Council approval because it involves demolition of a residential unit.

** First reading of ordinance by City Council scheduled for March 7, 2017.

The packet for the January 26, 2017 Planning Commission meeting can be viewed online at

<http://ca-emeryville.civicplus.com/Archive.aspx?AMID=43&Type=Recent>

13.2. Council Members

13.3. 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-2017-073](#)

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.

February 21, 2017 Regular City Council Meeting

- Planning Commission Interviews and Appointments
- City Council Goal Setting Session, Part 1: CIP Update and Prioritization
- First Reading/Introduction: Emergency Operations Plan Ordinance Amendment
- Community Grant Recommendations
- PACE (Property Assessed Clean Energy) Program
- Business Tax Rebate Program

March 7, 2017 Regular City Council Meeting

- City Council Goal Setting Session, Part 2: Review Current Goals
- Presentation: Alameda County Healthy Homes Department
- Consideration of Adoption of an Ordinance Related to Lead Safety
- 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 FEBRUARY 21, 2017, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608