



## CITY OF EMERYVILLE

### AGENDA

#### City Council

Emeryville City Hall  
1333 Park Avenue  
Emeryville, CA 94608  
(510) 596-4300 phone  
(510) 450-7831 fax  
[www.emeryville.org](http://www.emeryville.org)

#### Members:

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

#### AMENDED

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**Tuesday, March 6, 2018**

**7:16 PM**

**Council Chambers**

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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, 5606 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**

**2. ROLL CALL**

**3. APPROVAL OF FINAL AGENDA**

**4. SPECIAL ORDERS OF THE DAY**

- 4.1. [ID-2018-038](#) Presentation: Alameda County District Attorney's Office Programs and Services
- 4.2. [ID-2018-134](#) Introduction of ECDC (Emeryville Child Development Center) Manager Quera Owens (Pedro Jimenez)
- 4.3. [ID-2018-133](#) Proclaiming March as Youth Art Month in Emeryville. (Sheri Hartz)

Attachments: [Proclamation](#)

**5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES**

**6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS / REPORTS ON MEETING ATTENDANCE**

**7. CITY MANAGER'S REPORT**

**8. EX PARTE COMMUNICATIONS**

**9. PUBLIC COMMENT FOR CONSENT AGENDA / ITEMS NOT ON THE AGENDA**

**10. CONSENT ITEMS**

- 10.1. [ID-2018-128](#) Warrants. (Susan Hsieh)  
**Attachments:** [Staff Report City](#)  
[Wire Transfers City](#)  
[Check Register City](#)
- 10.2. [ID-2018-130](#) Action Minutes of the February 20, 2018 Emeryville City Council/Management of Emeryville Services Authority Special Closed Session Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 10.3. [ID-2018-132](#) Action Minutes of the February 20, 2018 Emeryville City Council Special Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 10.4. [ID-2018-121](#) Resolution Of The City Council Of The City Of Emeryville Approving And Authorizing The City Manager To Execute A Memorandum Of Understanding Between The Emeryville City Council And The Emeryville Police Officers' Association (EPOA) With A Term Effective July 1, 2017 Through June 30, 2019. (Lisa Lopez)  
**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Emeryville Police Officers' Association MOU](#)  
[APPROVED Resolution No. 18-23](#)
- 10.5. [ID-2018-136](#) Second Reading Of An Ordinance Of The City Council Of The City Of Emeryville Calling A Special Election And Ordering The Submission Of A Proposition Incurring Bonded Debt For The Purpose Of Financing Affordable Housing Projects To The Qualified Voters Of The City Of Emeryville At The Special Municipal Election To Be Held On June 5, 2018. (Susan Hsieh / Michael Guina)  
**Attachments:** [Housing Bond Staff Report.030618.docx](#)  
[Draft Ordinance](#)  
[Late Correspondence \(March 6, 2018\)](#)  
[Late Correspondence \(March 6, 2018\)](#)  
[Late Correspondence \(March 6, 2018\)](#)  
[APPROVED Ordinance No. 18-002](#)

**11. PUBLIC HEARINGS**

- 11.1. [ID-2018-116](#) A Resolution Of The City Council Of The City Of Emeryville Approving A General Plan Amendment To Revise The Location Of Shellmound Way Such That It Coincides With Its Current Location Approximately 250

Feet South Of What Is Shown On General Plan Figure 3-1, "Circulation", And Other Maps In The General Plan (CEQA Status: General Plan EIR Certified by City Council on October 13, 2009). (Charles S. Bryant / Miroo Desai)

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

[Attachment 1 - Planning Commission Resolution](#)

[Proposed Resolution](#)

[Exhibit A - General Plan Figure 3-1 - Circulation \(amended\)](#)

[Late Correspondence \(March 6, 2018\)](#)

- 11.2.**     [ID-2018-120](#)     Resolution Of The City Council Of The City Of Emeryville Approving Modifications To The Conditions of Approval and Approved Plans Of A Conditional Use Permit To Add Square Footage, To Add Private Open Space In The Form Of Room Decks, And To Make Exterior Modifications To Two Previously Approved Residential Units At 1258 Ocean Avenue (APNs: 049-1489-18 And -19) (CEQA Determination: Exempt Pursuant To CEQA Guidelines Sections 15303 Which Applies To Construction Of Small, New Structures). (Charles S. Bryant / Navarre Oaks)

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

[Attachment 1 - Emails from Neighbors](#)

[Attachment 2- Previously Approved Plans dated April 17, 2007](#)

[Draft Resolution](#)

[Exhibit A - Conditions of Approval with Attachments](#)

[Project Plans dated January 17, 2018](#)

[Late Correspondence \(March 6, 2018\)](#)

[APPROVED Resolution No. 18-24](#)

## 12. ACTION ITEMS

- 12.1.**     [ID-2018-122](#)     Housing Committee's Annual Report On Committee Goals, Principles And Accomplishments For Year 2017; And Proposed Committee Priorities For Year 2018. (Charles S. Bryant / Chadrick Smalley / Catherine Firpo)
- Attachments:** [Staff Report](#)
- 12.2.**     [ID-2018-125](#)     Bicycle/Pedestrian Advisory Committee's Annual Report On Committee Goals, Principles And Accomplishments For Year 2017; And Proposed Committee Priorities For Year 2018. (Andrew Clough / Nancy Humphrey / Marcy Greenhut)
- Attachments:** [Staff Report](#)
- 12.3.**     [ID-2018-085](#)     Parks and Recreation Committee Annual Report On Committee Goals, Principles And Accomplishments For Year 2017; And Proposed

Committee Priorities For Year 2018. (Pedro Jimenez / Brad Helfenberger)

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

- 12.4.** [ID-2018-053](#) Resolution Of The City Council Of The City Of Emeryville Approving A Park And Recreation Facility Impact Fee Credit For The Sherwin Williams Mixed Use Project And Authorizing The City Manager To Execute A Park And Open Space Improvement Agreement With SWACE, LLC. (Charles S. Bryant / Miroo Desai / Andrea Visveshwara)
- Attachments:** [Staff Report](#)
- [Attachment 1 - Park Impact Fee Credit Request Letter](#)
- [Attachment 2 - Approved Sherwin Williams PUD Land Use Diagram](#)
- [Attachment 3 - Sherwin Williams FDP Park and Open Space Approved Site Plan](#)
- [Attachment 4 - Project List from Park and Recreation Facility Impact Fee Study](#)
- [Attachment 5 - Emeryville Greenway Concepts from Parks and Recreation Staff](#)
- [Proposed Resolution](#)
- [Park and Open Space Improvement Agreement](#)
- [APPROVED Resolution No. 18-25](#)
- 12.5.** [ID-2018-145](#) Resolution Of The City Council Of The City Of Emeryville Amending The Adopted Budget For The 2017-18 And 2018-19 Fiscal Years. (Susan Hsieh)
- Attachments:** [Staff Report](#)
- [Draft Resolution](#)
- [Appendix A: General Fund - Proposed Adjustments](#)
- [Appendix B: Other Funds - Proposed Adjustments](#)
- [Appendix C: Capital Projects - Proposed Adjustments](#)
- [APPROVED Resolution No. 18-26](#)
- 12.6.** [ID-2018-154](#) Council Goal Setting - FY2018-2019. (Carolyn Lehr)  
(Continued from the February 6, 2018, City Council Regular Meeting)
- Attachments:** [Staff Report](#)
- [2017-18 Council Priorities, Goals Strategies](#)
- [Council Goals 2018 - 1st Quarter Progress Report](#)
- [CIP Appendix A](#)

### 13. DEPARTMENT HEAD REPORTS

- 13.1.** [ID-2018-086](#) Planning Director's report on Planning Commission actions at the February 22, 2018 meeting:
- (a) [General Plan Annual Progress Report](#) - Review of the annual

progress report on implementation of the General Plan, including the Housing Element, in Calendar Year 2017, for submittal to the Governor's Office of Planning and Research and the California Department of Housing and Community Development. \*

- (b) Sherwin Williams Architectural Final Development Plan - Public hearing to consider approval of the Final Development Plan for four new buildings in the Sherwin Williams Planned Unit Development site. \*\*
- (c) Rochambeau Cannabis Retail Dispensary - Public hearing to consider approval of a Cannabis Sales use at 3996 San Pablo Avenue, Suite C4 and C5, including retail sale and on-site consumption of cannabis products (a tasting bar), on-site pick up, and home delivery. \*\*

\* Item requires City Council approval and is scheduled for City Council consideration on March 20, 2018.

\*\* Item subject to "call for review" (i.e. appeal) by motion of the City Council pursuant to Section 9-7.1406 of the Planning Regulations.

The packet for the February 22, 2018 Planning Commission meeting can be viewed online at <http://ca-emeryville.civicplus.com/Archive.aspx?AMID=43&Type=Recent>

#### 14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

#### 15. ADJOURNMENT

#### 16. LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

- 16.1. [ID-2018-137](#) **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. Other items may be added. Also note that this list shows working titles, which may be revised slightly before the item becomes final.

##### March 20, 2018 Regular City Council Meeting

- Proclamation: March is American Red Cross Month
- Proclamation: Women's Rights Month
- Public Hearing: Special Assessment on Property at 1264 Ocean Avenue (continued from 2/20/18)
- Public Hearing: Reauthorization of Sport Fishing Concession

- Smoking Ordinance Amendment
- Marina Public Art Artist Selection
- Council Goal Setting
- Transit Center Parking Agreement

April 3, 2018 Regular City Council Meeting

- Interviews/Appointment: Housing Committee Member
- Proclamation: April is Second Chances Month
- Proclamation: Sexual Assault Awareness Month
- Public Hearing: Sherwin Williams PUD Amendment/Horton St. Trees
- Car Share Ordinance

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 MARCH 20, 2018, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608