



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

Members:

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

Tuesday, October 2, 2018

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, 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-2018-527](#) Introduction: New City Manager, Christine Daniel. (Lisa M. Lopez)
- 4.2. [ID-2018-528](#) Presentation: Recognition of Long Term City Employees. (Chief Tejada/Lisa M. Lopez)
- 4.3. [ID-2018-529](#) Proclamation: Domestic Violence Awareness Month. (Chief Tejada)

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-2018-530](#) Warrants. (Susan Hsieh)
Attachments: [Staff Report City](#)
[Wire Transfers City](#)
[Check Register City](#)
- 10.2. [ID-2018-514](#) Action Minutes of the September 17, 2018 Emeryville City Council Study Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.3. [ID-2018-517](#) Action Minutes of the September 17, 2018 Emeryville City Council Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.4. [ID-2018-504](#) Resolution Of The City Council To Accept A Grant In The Amount Of \$6,000 From The Target Corporation To The Emeryville Police Department To Subsidize Training In Resiliency And Wellbeing For Department Employees. (Jennifer Tejada / Oliver Collins)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Target Resiliency Training Grant Application](#)
[ADOPTED Resolution 18-140](#)
- 10.5. [ID-2018-522](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute Contract Number 900162 With The Alameda County Area Agency On Aging For Senior Center Programs For Fiscal Year 2018-2019 In The Amount Of \$25,000; And Appropriate Said Funds When Received To Account Number 5460-51100. (Pedro Jimenez / Brad Helfenberger)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Contract](#)
[ADOPTED Resolution 18-141](#)
- 10.6. [ID-2018-532](#) Second Reading Of An Ordinance Of The City Council Of The City Of Emeryville Amending Section 2-7.601 "Declaration of Policy"; CEQA Determination: Exempt Pursuant To Section 15061(B)(3) Of The California CEQA Guidelines (Lisa Lopez)
Attachments: [Staff Report](#)
[Proposed Ordinance](#)
[ADOPTED Ordinance 18-004](#)

- 10.7.** [ID-2018-513](#) Resolution Of The City Council Of The City Of Emeryville Declaring The Week of November 11 Through 17, 2018 As United Against Hate Week In The City Of Emeryville. (Mayor John J. Bauters)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Informational Flyer](#)

[ADOPTED Resolution 18-142](#)

11. PUBLIC HEARINGS

- 11.1.** [ID-2018-509](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Chief Of Police To Issue An Annual Cabaret License To Trader Vic's For Calendar Year 2019. (Oliver Collins)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Exhibit A - Conditions of Approval](#)

[Cabaret License Application](#)

[Annual Permit Review Report](#)

[ADOPTED Resolution 18-143](#)

12. ACTION ITEMS

- 12.1.** [ID-2018-511](#) Resolution Of The City Council Of The City Of Emeryville Amending Resolution Number 17-26, Limiting The Authorization For The Inclusion Of Properties Within The Territory Of The City In The California Statewide Communities Development Authority (CSCDA) Open PACE Programs; Authorizing CSCDA To Accept Applications, Conduct Contractual Assessment Proceedings And Levy Contractual Assessments Only From Commercial Property Owners Within The Territory Of The City; And Withdrawing Authorization For CSCDA To Provide PACE Services To Residential Properties. (Andrew Clough / Nancy Humphrey)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Resolution No. 17-26](#)

[ADOPTED Resolution 18-144](#)

13. DEPARTMENT HEAD REPORTS

13.1. [ID-2018-512](#) Planning Director's report on Planning Commission actions at the September 27, 2018 meeting:

- (a) Marketplace Parcel B Temporary Parking Lot. Consideration of Conditional Use Permit for a temporary surface parking lot at 6000 Shellmound Street with about 200 spaces to support existing uses at the Marketplace Planned Unit Development site until a new garage building is constructed.*
- (b) East Bay Therapeutics Cannabis Retail Dispensary Amendment. Consideration of an amendment to a Conditional Use Permit to allow on-site consumption of cannabis at an existing cannabis retail dispensary at 5745 Peladeau Street that was approved by the Planning Commission on April 26, 2018.*
- (c) San Pablo Avenue General Plan and Planning Regulations Amendment. Consideration of a General Plan Amendment and Planning Regulations Amendment to increase the maximum development potential that could occur within an area of approximately 2.5 acres fronting the east side of San Pablo Avenue from 40th Street to approximately 170 feet south of 45th Street by increasing the allowable floor area ratio (FAR), building height, and residential density.**

* 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.

** Tentatively scheduled for consideration by the City Council on October 30, 2018.

The packet for the September 27, 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

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS[ID-2018-520](#)

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.

October 16, 2018 City Council Meeting

- Sherwin-Williams Agreements: Affordable Housing, Operation and Maintenance
- 40th and San Pablo Transit Hub
- Discussion: Electric Scooters
- Discussion: Membership in the "City Possible" Program

October 30, 2018 City Council Meeting

- Study Session: Eco-friendly Foodware
- Special Meeting: Legislative Recap and 2019 Priority Setting
- Public Hearing: San Pablo Avenue Modifications for Senior Housing Project at 43rd Street
- Parking Management Plan Adoption
- Economic Development Strategy Annual Report
- Discussion: Emeryville's Membership in the League of California Cities

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

www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive.

THE NEXT REGULAR MEETING WILL BE ON OCTOBER 16, 2018, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608