



CITY OF EMERYVILLE
AGENDA
City Council

Emeryville City Hall
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Members:

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

Regular Meeting

Tuesday, November 13, 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-2018-622](#) Proclamation: National Adoption Month
 - 4.2. [ID-2018-631](#) Presentation: Access to Dissemination of Educational Health Information Related to Home Cannabis Growing
- 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-2018-626](#) Warrants. (Susan Hsieh)
Attachments: [Staff Report City](#)
[Wire Transfers City](#)
[Check Register City](#)
- 10.2. [ID-2018-616](#) Action Minutes of the October 30, 2018 Emeryville City Council / City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency Special Closed Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.3. [ID-2018-621](#) Action Minutes of the October 30, 2018 Emeryville City Council Special Study Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.4. [ID-2018-617](#) Action Minutes of the October 30, 2018 Emeryville City Council Special Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.5. [ID-2018-619](#) Action Minutes of the October 30, 2018 Emeryville City Council Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.6. [ID-2018-609](#) Resolution Of The City Council Of The City Of Emeryville Approving The Annual Development Impact Fee Report For Fiscal Year 2017-2018 (Charles S. Bryant)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Impact Fee Annual Report FY 17-18](#)
- 10.7. [ID-2018-610](#) Second Reading Of An Ordinance Of The City Council Of The City Of Emeryville Amending The Planning Regulations To Ensure Consistency With The General Plan By Updating Figure 9-4.201(a): Maximum Floor Areas Ratios, Figure 9-4.202(a): Maximum Building Heights, And Figure 9-4.203(a): Maximum Residential Densities To Reflect Updated General Plan Figures 2-3, 2-4, And 2-6, Respectively (CEQA Determination: Addendum To 2009 General Plan EIR Prepared) (Charles S. Bryant / Miroo Desai)
Attachments: [Staff Report](#)
[Attachment 1 - City Council Staff Report from October 30, 2018.pdf](#)
[Draft Ordinance](#)

11. PUBLIC HEARINGS

12. ACTION ITEMS

- 12.1. [ID-2018-629](#) Resolution Of The City Council Of The City Of Emeryville Approving The Emeryville Transportation Management Association (TMA) 2019 Budget And Setting Compensation To The TMA To Operate The Emery Go Round Shuttle Service During The 2019 Calendar Year Under The Terms Of The Service Agreement For An Amount Not To Exceed Three Million, Five Hundred Eighty-One Thousand, Two Hundred Seventy-One Dollars (\$3,581,271); And Authorizing Payment From The Emeryville Property Based Business Improvement District (PBID) Fund 805. (Susan Hsieh)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[TMA 2019 Budget](#)

- 12.2. [ID-2018-614](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute An Exclusive Right To Negotiate Agreement With Orton Development Inc. For The Purpose Of Negotiating A Lease Disposition And Development Agreement For The Redevelopment And Operation Of 4060 Hollis Street As An Art Center (Charles S. Bryant / Chadrick Smalley / Emi Thériault)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Exclusive Right to Negotiate Agreement](#)

- 12.3. [ID-2018-615](#) Economic Development Strategy Annual Implementation Report (Charles S. Bryant / Chadrick Smalley)

Attachments: [Staff Report](#)
[Attachment 1 - Annual Implementation Report 2018.pdf](#)
[Attachment 2 - Economic Development Strategy](#)

- 12.4. [ID-2018-625](#) Introduction and First Reading of an Ordinance of the City Council of the City of Emeryville Authorizing an Amendment to the Contract between the City of Emeryville and the Board of Administration of the California Public Employees Retirement System (CalPERS) With Respect to Public Safety Employees; CEQA Determination: Exempt Pursuant to State CEQA Guidelines 15061(b)(3), 15378 (Lisa Lopez)

Attachments: [Staff Report](#)
[Draft Ordinance](#)
[Contract](#)

13. DEPARTMENT HEAD REPORTS**14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS****15. ADJOURNMENT**

THE NEXT REGULAR MEETING WILL BE ON DECEMBER 4, 2018, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

[ID-2018-632](#) **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.

December 4, 2018 City Council Meeting

- Ordinance 1st Reading: Amending Ch. 14-Food Service Waste Reduction
- Adding Funds to MOU with City of Oakland for Winter Shelter Beds
- Adoption of City Council Meeting Calendar for 2019
- Declaring Results of the Election (Council Members and Measure S)
- Installation of Elected Officials
- Appointment of Mayor and Vice Mayor
- Appointing Council Members to Local and Regional Committee Seats

December 18, 2018 City Council Meeting

- Approval of CAFR (Comprehensive Annual Financial Report)
- More items potentially to be added - as yet undetermined

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

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