



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

Tuesday, December 18, 2018

7:16 PM

Council Chambers

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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**
- 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-2018-681](#) Warrants. (Susan Hsieh)**

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

- 10.2.** [ID-2018-668](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A First Amendment To Professional Services Agreement With EKI Environment and Water, Inc., For An Additional Compensation Amount of \$49,900, Not To Exceed \$79,900, For Consulting Services Related To Environmental Monitoring And Cleanup Of Horton Landing Park Expansion Site. (Andrew Clough)
- Attachments:** [Staff Report](#)
 [Draft Resolution](#)
 [Exhibit A First Amendment to Professional Services Agreement](#)
 [Exhibit A.1 7/3/18, Proposal for Professional Services](#)
 [Exhibit A.2 8/318 Proposal for Professional Services](#)
 [Exhibit B Original PSA Agreement](#)
 [APPROVED Resolution No. 18-170](#)
- 10.3.** [ID-2018-670](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Contract With Schaaf And Wheeler In An Amount Not To Exceed \$88,528.00 For The Design Of A Large Trash Separator In Storm Drain Line, Fiscal Year 2018/19, Project No. EPW 107-18, CIP No. ST-13; CEQA Determination: Exempt Pursuant To State CEQA Guidelines 15061(b)(3) And 15063. (Andrew Clough / Nancy Humphrey / Oliver Abbitt)
- Attachments:** [Staff Report](#)
 [Draft Resolution](#)
 [Contract](#)
 [Exhibit A - Trash Management Map](#)
 [Exhibit B - Map of HDS Location](#)
 [APPROVED Resolution No. 18-171](#)
- 10.4.** [ID-2018-666](#) Resolution Of The City Council Of The City Of Emeryville Appropriating \$238,819 From Fund 254 - Grant Fund To Project 19254013, "Emery Go-Round Watergate Express Service 2018", To Implement Funding Agreements With The Bay Area Air Quality Management District And The Emeryville Transportation Management Association For Emery Go-Round Watergate Express Service In Calendar Year 2018 (Charles S. Bryant / Diana Keena)
- Attachments:** [Staff Report](#)
 [Attachment 1 - BAAQMD TFCA Funding Agreement](#)
 [Attachment 2 - ETMA Grant Funding Agreement](#)
 [Draft Resolution](#)
 [APPROVED Resolution No. 18-172](#)

- 10.5.** [ID-2018-637](#) Second 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 (Lisa Lopez)

Attachments: [Staff Report](#)
 [Draft Ordinance](#)
 [Contract](#)
 [ADOPTED Ordinance 18-006](#)

11. PUBLIC HEARINGS

- 11.1.** [ID-2018-664](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Chief Of Police To Issue An Annual Cabaret License To Bank Club Cafe For Calendar Year 2019. (Chief Tejada)

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Bank Club Cafe Cabaret Application Redacted](#)
 [APPROVED Resolution No. 18-173](#)

- 11.2.** [ID-2018-665](#) Resolution Of The City Council Of The City Of Emeryville Granting An Annual Card Room License To The Oaks Card Club For The Calendar Year 2019. (Chief Tejada)

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Oaks Card Club Calls for Service 2018](#)
 [License Application Redacted](#)
 [APPROVED Resolution No. 18-174](#)

12. ACTION ITEMS

- 12.1. [ID-2018-677](#) Resolution Of The City Council Of The City Of Emeryville Accepting The Annual Audit Report, Which Includes The Audited Basic Financial Statements And Auditors' Opinion, For The City Of Emeryville For The Fiscal Year Ending June 30, 2018 (Susan Hsieh)

Attachments: [Staff Report](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 2 - Comprehensive Annual Financial Report](#)

[Attachment 3 - Appropriations Limit Calculation](#)

[Attachment 4 - Child Development Program Compliance Audit](#)

[Attachment 5- Measure B Compliance Audit](#)

[Attachment 6 - Measure BB Compliance Audit](#)

[Attachment 7 - Vehicle License Fee Compliance Audit](#)

[Attachment 8 - Housing Compliance Audit](#)

[Attachment 9 - Audit Communication Letter](#)

[Attachment 10 - Report on Internal Control](#)

[APPROVED Resolution No. 18-175](#)

- 12.2. [ID-2018-680](#) Consideration of 1st Quarter Fiscal Year 2018-19 Financial Update (Susan Hsieh)

Attachments: [Staff Report](#)

- 12.3. [ID-2018-678](#) Consideration of FY 2019-20 and FY 2020-21 Budget Development Schedule (Susan Hsieh)

Attachments: [Staff Report](#)

- 12.4. [ID-2018-639](#) 40th Street Concept Plan (Charles S. Bryant / Diana Keena)

Attachments: [Staff Report](#)

[Draft Conceptual Layout Plan and Sections](#)

- 12.5. [ID-2018-671](#) Resolution Of The City Council Of The City of Emeryville Appointing Standby Officers For Council Member And City Manager Succession In The Event Of A Declared Emergency For Calendar Year 2019. (Sheri Hartz)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Exhibit A to Resolution](#)

[Attachment A: Current Standby Officer Roster](#)

[Attachment B: Gov't Code Sections](#)

[APPROVED Resolution No. 18-176](#)

- 12.6.** [ID-2018-623](#) Report To The City Council Of The City Of Emeryville Presenting The Conceptual Design For the Conversion Of The City Hall Front Lawn Into A Certified Bay-Friendly Landscape. (Andrew Clough / Izabela Cirloganu)

Attachments: [Staff Report](#)
 [Design Concept](#)

- 12.7.** [ID-2018-672](#) Resolution Of The City Council Of The City Of Emeryville Authorizing A Contribution Of \$10,062 To The Gilman Fields Joint Powers Authority For Turf Replacement Project FY2018 And Appropriating \$10,062 From The General Fund To Fund 5460-88900. (Pedro Jimenez)

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Gilman Fields - Turf Replacement FY18 Memo](#)

13. DEPARTMENT HEAD REPORTS

13.1. [ID-2018-667](#) Planning Director's report on Planning Commission actions at the December 13, 2018 meeting:

- (a) Decathlon Signs. Major Sign Permit for one illuminated wall sign, one non-illuminated monument sign, and three illuminated signs on the tower structure for Decathlon sporting goods in the former Toys "R" Us building at 3938 Horton Street in the East BayBridge Shopping Center. *
- (b) Telecommunication Facilities Regulations Amendments. Consideration of amendments to the Planning Regulations to make approvals of Wireless Communication Facilities ministerial pursuant to the Zoning Compliance Review process.
**
- (c) Marketplace Redevelopment Project, "Parcel B". Study session to consider a new Final Development Plan (FDP) for "Parcel B" of the Marketplace Redevelopment Project Planned Unit Development to replace the FDP that was approved by the Planning Commission on June 23, 2016. The previously approved FDP included 26,000 square feet of retail space and 300 parking spaces. The proposed FDP includes 14,000 square feet of retail space, 150,000 square feet of office/lab space, and 565 parking spaces.
- (d) Onni Christie Mixed Use Project. Study session to review a proposed mixed use project on a 3.76-acre site at 5801-5861 Christie Avenue, including a 54-story residential tower with 638 units, a 16-story office tower with approximately 238,000 square feet of office space, about 20,000 square feet of ground floor retail space, and 1,105 parking spaces. The project will include a new half-acre public park fronting Christie Avenue and will retain the existing 87,410 square foot office building occupied by Wells Fargo Bank and other commercial tenants. The existing one-story, approximately 44,000 square foot building that is occupied by Allegro Ballroom and other commercial tenants will be demolished.
- (e) Unit Mix and Design, and Tower Separation Amendments for High-Rise Buildings. Study session on Planning Regulations amendments to unit mix and design, and tower separation, for buildings over 100 feet in height.

* 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 January 15, 2019.

The packet for the December 13, 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

THE NEXT REGULAR MEETING WILL BE ON JANUARY 15, 2019, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

[ID-2018-674](#) **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.

January 15, 2019 City Council Meeting

- Public Hearing: Doyle Street Mews Use Permit/Design Review Extension Request
- Public Hearing: Planning Regulations Amendment to Make Telecomm Facilities Ministerial
- Ordinance 1st Reading: Food Service Waste Reduction Ordinance
- CEQA Contract for Onni Project
- Payment to City of Oakland for Library Services

February 5, 2019 City Council Meeting

- No items scheduled as yet

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

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