



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, January 15, 2019

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**
- 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-2018-720](#) Warrants. (Susan Hsieh)**

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

- 10.2. [ID-2018-700](#) Action Minutes of the December 10, 2018 Emeryville City Council Special Closed Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.3. [ID-2018-702](#) Action Minutes of the December 10, 2018 Emeryville City Council Special Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.4. [ID-2018-718](#) Action Minutes of the December 18, 2018, Emeryville City Council / City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency Special Closed Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.5. [ID-2018-719](#) Action Minutes of the December 18, 2018 Emeryville City Council Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.6. [ID-2018-699](#) Consideration Of Transportation Committee Recommendation For Request For Approval Of Red Zone Across From 4045 Horton Street. (Andrew Clough / Daraja Wagner)
Attachments: [Staff Report](#)
[Exhibit A - Red Curb Request on Horton Street](#)
- 10.7. [ID-2018-683](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute Amendment #1 To Contract #CSPP-8008 With The State Department Of Education, Office Of Child Development, For Fiscal Year 2018-2019 To Increase The Maximum Reimbursable Amount From \$170,230 To \$179,627; And Appropriate Said Funds When Received To Account 230-53600. (Pedro Jimenez)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Contract Amendment 1: CSPP-8008-01](#)
[APPROVED Resolution CSPP-8008](#)
[APPROVED Resolution No. 19-01](#)

- 10.8.** [ID-2018-715](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager to Enter Into A Memorandum Of Understanding With The Emery Unified School District To Provide After School Education And Safety Programs Funded Through The California State Department Of Education, Proposition 49, For The Academic School Year 2018/2019 In The Amount Of Seventy Five Thousand Dollars (\$75,000), And For The Academic School Year 2019/2020 In The Amount Of Seventy Five Thousand Dollars (\$75,000). (Pedro Jimenez)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Attachment A - Memorandum of Understanding](#)

[APPROVED Resolution No. 19-02](#)

- 10.9.** [ID-2018-698](#) Resolution Of The City Council Of The City Of Emeryville Ratifying the City Manager's Execution of a Memorandum of Understanding Between the City of Emeryville and First 5 of Alameda County to Implement the Quality Counts Program for the Emeryville Child Development Center. (Pedro Jimenez)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[First 5 Memorandum of Understanding](#)

[APPROVED Resolution No. 19-03](#)

- 10.10.** [ID-2018-696](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Professional Services Contract With Placeworks Inc. To Provide Assistance To The City's Affordable Homeownership And Rental Programs For A Total Contract Amount Not-To-Exceed \$89,350 For The Period January 16, 2019 To June 30, 2019 And Appropriating \$30,000 From The Affordable Housing Fund (Fund 299) To The Fiscal Year 2018-19 Professional Services Budget (Account 299-80050). (Charles S. Bryant / Chadrick Smalley / Catherine Firpo)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Exhibit A - Professional Services Contract with Placeworks Inc.](#)

[APPROVED Resolution No. 19-04](#)

11. PUBLIC HEARINGS

- 11.1. [ID-2018-705](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Chief Of Police To Issue An Annual Cabaret License To The Public Market AG-CCRP L.P. For Calendar Year 2019. (Jennifer Tejada)

Attachments: [Staff Report](#)

[2019 Cabaret Permit Application \(Redacted\)](#)

[Draft Resolution](#)

[Exhibit A - Conditions of Approval](#)

[APPROVED Resolution No. 19-05](#)

- 11.2. [ID-2018-685](#) Resolution Of The City Council Of The City Of Emeryville Granting A One Year Extension Of The Approval Of A Conditional Use Permit And Design Review Permit For “Doyle Street Mews,” Involving Demolition of Four Existing Legal Residential Units And Two Existing Illegal Residential Units And Their Replacement With Six New Residential Units At 5876 And 5880 Doyle Street (APNs: 49-1330-12 And -13) (CEQA Determination: Exempt Pursuant To State CEQA Guidelines Section 15303(b) and 15061(b)(3)) (Charles S. Bryant / Navarre Oaks)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Exhibit A - Extension Request Letters](#)

[APPROVED Resolution No. 19-06](#)

- 11.3. [ID-2018-686](#) Wireless Telecommunications Facilities Regulations Amendments (CEQA Determination: Exempt Pursuant To CEQA Guidelines Sections 15311, 15303, and 15061(b)(3)) (Charles S. Bryant / Miroo Desai)

Attachments: [Staff Report](#)

[Late Correspondence - Verizon Wireless \(1\)](#)

[Late Correspondence - Miroo Desai](#)

[Late Correspondence - AT&T External Affairs](#)

[Late Correspondence - Verizon Wireless \(2\)](#)

[Late Correspondence - Michael Guina](#)

- 11.3.1 [ID-2018-687](#) Urgency Ordinance Of The City Council Of The City Of Emeryville Amending Article 17 Of Chapter 5 Of The Planning Regulations And Other Associated Provisions Of The Planning Regulations To Make Approvals Of Wireless Communications Facilities Subject To The Zoning Compliance Review Process

Attachments: [Draft Urgency Ordinance](#)

[APPROVED Ordinance No. 19-001](#)

- 11.3.2** [ID-2018-688](#) Introduction And First Reading Of An Ordinance Of The City Council Of The City Of Emeryville Amending Article 17 Of Chapter 5 Of The Planning Regulations And Other Associated Provisions Of The Planning Regulations To Make Approvals Of Wireless Communications Facilities Subject To The Zoning Compliance Review Process

Attachments: [Draft Ordinance](#)

- 11.3.3** [ID-2018-689](#) Resolution Of The City Council Of The City Of Emeryville Amending the City of Emeryville Master Fee Schedule For Fiscal Year 2018-2019 Effective On January 16, 2019

Attachments: [Draft Resolution](#)

[Exhibit A - Master Fee Schedule Amendment](#)

[APPROVED Resolution No. 19-07](#)

12. ACTION ITEMS

- 12.1. [ID-2019-001](#) South Bayfront Pedestrian-Bicycle Bridge and Horton Landing Park.
(Michael A. Guina / Andrew Clough)

Attachments: [Staff Report](#)

- 12.1.1 [ID-2018-706](#) Resolution Of The City Council Of The City Of Emeryville Approving And Authorizing The City Manager To Execute, Enter Into And Implement The Pedestrian Overpass Crossing Agreement By And Between The City Of Emeryville And Union Pacific Railroad Company For The South Bayfront Pedestrian And Bicycle Bridge Project, EPW 17-112, Cip No. 16475006, Including Approval Of Compensation Of \$223,492 For The Permanent Aerial Easement And \$235,365 For Temporary License Area. (Andrew Clough)

Attachments: [Draft Resolution](#)

[Exhibit A - Agreement with Union Pacific Railroad Company with Exhibits](#)

[APPROVED Resolution No. 19-08](#)

- 12.1.2 [ID-2018-707](#) Resolution Of The City Council Of The City Of Emeryville Approving The Scope Of The South Bayfront Pedestrian And Bicycle Bridge Project And Horton Landing Park Project, Project No. EPW 17-112, Incorporating CIP Nos. 16475006 And 17237003 And Authorizing The Public Works Director To Bid The Project To The List Of Pre-Qualified Contractors. (Andrew Clough)

Attachments: [Draft Resolution](#)

[Overview Plan South Bayfront Bridge](#)

[APPROVED Resolution No. 19-09](#)

- 12.2. [ID-2018-691](#) Request For Qualifications And Proposals (RFQ/P) For The Design And Development Of An Affordable Housing Project At 4300 San Pablo Avenue. (Charles S. Bryant / Chadrick Smalley / Catherine Firpo)

Attachments: [Staff Report](#)

- 12.3. [ID-2018-722](#) Consideration of Amendments to Chapter 28 of Title 5 of the Emeryville Municipal Code, "Cannabis". (Michael A. Guina)

Attachments: [Staff Report](#)

13. DEPARTMENT HEAD REPORTS

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

15. ADJOURNMENT

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS[ID-2019-002](#)

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 29, 2019 Special City Council Study Session

- Council Budget and Goal Setting Workshop

February 5, 2019 City Council Meeting

- Study Session: High Rise Regulations: Unit Mix and Tower Separation
- Presentation: Mosquito Abatement District Annual Report
- 1st Reading/Introduction: Scooter Ordinance

February 19, 2019 City Council Meeting

- Labor Standards Annual Report/Business Survey
- Parking Management Framework
- Sherwin Williams Park Public Art
- City Manager's Donation of Public Art
- Bird Friendly Design Guidelines Process
- CEQA Contract for Onni Project

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 FEBRUARY 5, 2019, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608