



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

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**Tuesday, February 5, 2019**

**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-2018-695](#) Presentation: Alameda County Mosquito Abatement District Biannual Report.

Attachments: [Mosquito Abatement Presentation](#)

**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-2019-029](#) Warrants. (Susan Hsieh)  
**Attachments:** [Staff Report](#)  
[Wire Transfers](#)  
[Check Register](#)
- 10.2. [ID-2019-026](#) Action Minutes of the January 15, 2019 Emeryville City Council/Successor Agency/MESA Special Closed Session. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 10.3. [ID-2019-028](#) Action Minutes of the January 15, 2019 Emeryville City Council Regular Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 10.4. [ID-2019-031](#) Consideration of 2nd Quarter Fiscal Year 2018-19 Financial Update (Susan Hsieh)  
**Attachments:** [Staff Report](#)
- 10.5. [ID-2019-014](#) Resolution Of The City Council Of The City of Emeryville To Approve The \$4,499.29 Grant Funds Awarded By The California Department Of Justice (DOJ) AB 3118 Sexual Assault Evidence Grant, For Overtime Related To Cataloging And Reporting Of Sexual Assault Evidence Kits To DOJ. (Capt. Oliver Collins)  
**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Grant Application](#)  
[Award Letter](#)  
[Memorandum of Understanding](#)  
[APPROVED Resolution No. 19-11](#)
- 10.6. [ID-2018-697](#) Resolution Of The City Council Of The City Of Emeryville Authoring The City Manager To Enter Into Merchant Processing Three Year Agreement With First Data Marketplace And Authorize.net In An Amount Not To Exceed \$60,000 Per Fiscal Year 2018-19, 2019-20, And 2020-2021 For Merchant Services For The Community Services Department. (Pedro Jimenez)  
**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Agreement: First Data Marketplace](#)  
[Agreement: Authorize.Net Gateway](#)  
[APPROVED Resolution No. 19-12](#)

- 10.7.**     [ID-2018-684](#)     Resolution Of The City Council Of The City Of Emeryville Amending Council Policy 001 For Naming/Dedication Of City Facilities. (Pedro Jimenez)

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

[Draft Resolution](#)

[Proposed Amended Council Policy 001 \(Redlined Version\)](#)

[Proposed Amended Council Policy 001 \(Clean Version\)](#)

[APPROVED Resolution No. 19-13](#)

- 10.8.**     [ID-2019-008](#)     Second 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 (Charles S. Bryant / Miroo Desai)

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

[Staff Report from January 15, 2019 City Council Meeting](#)

[Draft Ordinance](#)

[APPROVED Ordinance No. 19-002](#)

## **11. PUBLIC HEARINGS**

## **12. ACTION ITEMS**

- 12.1.**     [ID-2018-692](#)     Direction On Development Of Bird-Safe Building Standards (Charles S. Bryant)

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

- 12.2.**     [ID-2019-005](#)     Resolution Of The City Council Of The City Of Emeryville Amending The Regular Meeting Schedules Of The Public Works Committee And The Transportation Committee To Meet Jointly on The Second Thursday Of Every Month At 9:00 AM; And Amending The FY2018-19 Local Roster Of Boards, Commissions And Committees Accordingly. (Sheri Hartz / Lorrayne Leong)

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

[Draft Resolution](#)

[Proposed Committee Changes](#)

[APPROVED Resolution No. 19-14](#)

- 12.3. [ID-2019-012](#) Resolution Of The City Council Of The City Of Emeryville Amending The Membership Composition And The Regular Meeting Schedule Of The Housing Committee; And Amending The FY2018-19 Local Roster Of Boards, Commissions And Committees Accordingly. (Sheri Hartz / Lorryne Leong)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Draft Roster](#)

[APPROVED Resolution No. 19-15](#)

### 13. DEPARTMENT HEAD REPORTS

- 13.1. [ID-2019-009](#) Planning Director's report on Planning Commission actions at the January 24, 2019 meeting:

- (a) Marketplace Redevelopment Project, "Parcel B". Consideration of 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.\*

\* 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 January 24, 2019 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-2019-032](#)

**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.

February 19, 2019 City Council Meeting

- Parking Management Framework
- Estrella Vista Noise Waiver Request
- CEQA Contract for Onni Project
- Park Ordinance Amendment
- 1st Reading: Scooter Ordinance

March 5, 2019 City Council Meeting

- Committee Annual Reports to Council
  1. Commission on Aging
  2. Public Art Committee
  3. Budget Advisory Committee
  4. Economic Development Advisory Committee
- Council Discussion on Whether to Revisit Bonus Point System
- Council Discussion on Whether to Eliminate Parking Minimums

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

[www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive.](http://www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive)

THE NEXT REGULAR MEETING WILL BE ON FEBRUARY 19, 2019, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608