



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

--AMENDED--

Tuesday, June 4, 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-2019-226](#) Warrants. (Susan Hsieh)**

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

- 10.2. [ID-2019-245](#) Action Minutes of the May 21, 2019 Emeryville City Council/Management of Emeryville Services Authority Closed Session Special Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.3. [ID-2019-246](#) Action Minutes of the May 21, 2019 Emeryville City Council Special Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.4. [ID-2019-248](#) Action Minutes of the May 21, 2019 Emeryville City Council Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.5. [ID-2019-219](#) Resolution of The City Council of The City of Emeryville to Approve \$65,940 in Grant Funds Awarded By The California Commission for Police Officer Standards and Training (POST) For Innovations in Community and Police Engagement and Appropriating Said Grant Funds to Grant Fund 254. (Jennifer Tejada / Oliver Collins)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Grant Application Packet](#)
- 10.6. [ID-2019-223](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute An Amendment To The Professional Services Contract With Placeworks Inc. To Provide Assistance To The City's Affordable Homeownership And Rental Programs, Extending The Term From June 30, 2019 To December 31, 2019 And Increasing The Total Contract Amount Of \$89,350 By \$90,020 To A New Total Contract Amount Not To Exceed \$179,370. (Charles S. Bryant / Chadrick Smalley)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Contract Amendment](#)
- 10.7. [ID-2019-229](#) Resolution Of The City Council Of Emeryville Authorizing The City Manager To Execute A Professional Services Contract With Townsend Public Affairs, Inc. To Provide Federal And State Legislative Advocacy Services For An Amount Not To Exceed \$270,000 For Fiscal Years 2019-20, 2020-21 and 2021-22. (Charles S. Bryant / Chadrick Smalley)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Professional Services Contract](#)

- 10.8. [ID-2019-221](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Annual Statement Of Investment Policy And Delegation Of Authority To The Treasurer. (Susan Hsieh)

Attachments: [Staff Report](#)

[Draft Investment Policy with Changes Shown](#)

[Draft Resolution](#)

[Exhibit A - Investment Policy](#)

- 10.9. [ID-2019-266](#) Resolution Of The City Council Of The City Of Emeryville Setting June As Lesbian, Gay, Bisexual, And Transgender Pride Month In The City Of Emeryville; And Approving The Raising Of The Pride Flag At City Hall For The Entire Month Of June Each Year; And Approving The Raising Of An Additional Pride Flag At City Hall For One Day In June 2019 (Sheri Hartz)

Attachments: [Staff Report](#)

[Draft Resolution](#)

11. PUBLIC HEARINGS

- 11.1. [ID-2019-222](#) Resolution Of The City Council Of The City Of Emeryville Amending The City Of Emeryville Master Fee Schedule For Fiscal Year 2019-20. (Susan Hsieh)

Attachments: [Staff Report](#)

[Draft Master Fee Schedule](#)

[Draft Resolution](#)

[Exhibit A - FY 19-20 Proposed Master Fee Schedule](#)

- 11.2. [ID-2019-218](#) Resolution Of The City Council Of The City Of Emeryville Granting A Waiver From The Noise Ordinance To PG&E For Weekend Work Between The Hours Of 9:00 A.M. And 5:00 P.M. On All Saturdays Between June 8, 2019 And July 27, 2019, And Before 7:00 A.M. And After 6:00 P.M. On Friday, June 7, 2019 And Friday, June 28, 2019 To Perform Strength Testing On A Gas Transmission Pipeline That Runs Under Hollis Street From The Oakland City Boundary On The South To The Berkeley City Boundary On The North (CEQA Status: Exempt Pursuant To State CEQA Guidelines Section 15061(b)(3)). (Andrew Clough / Keely Nelson)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Exhibit A - Applicant Request Letter.pdf](#)

[Public Hearing Notice](#)

12. ACTION ITEMS

- 12.1. [ID-2019-238](#) Adoption Of The Budget For The City Of Emeryville For The 2019-20 And 2020-21 Fiscal Years, Appropriation Of Funds From The FY 2018-19 General Fund Unassigned Fund Balance, And The Adoption Of The Appropriations Limit For The 2019-20 Fiscal Year. (Susan Hsieh)

Attachments: [Staff Report](#)
[2019-21 Proposed Budget](#)

- 12.1.1 [ID-2019-242](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Budget For The City Of Emeryville For The 2019-20 And 2020-21 Fiscal Years (FY) And Appropriating Funds From The FY 2018-19 General Fund Unassigned Fund Balance. (Susan Hsieh)

Attachments: [Draft Resolution](#)
[Appendix A - City of Emeryville Budget Philosophy](#)
[Appendix B - Reserve Policy](#)
[Appendix C - Residual Property Tax Reserve and Use Policy](#)
[Appendix D - Commercial Property Transfer Tax Policy](#)
[Appendix E - FY 18-19 Proposed Transfer](#)
[Appendix F - Citywide Operating Expenditures by Fund](#)

- 12.1.2 [ID-2019-243](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Appropriations Limit For The 2019-20 Fiscal Year At \$114,937,853. (Susan Hsieh)

Attachments: [Draft Resolution](#)
[Appendix A - Gann limit Calculation 2019-20](#)

- 12.2. [ID-2019-235](#) Adoption Of The Capital Improvement Program For The City Of Emeryville For The 2019-20 Through 2023-24 Fiscal Years And Authorization Of Appropriations For The 2019-20 And 2020-21 Funding Cycles Of The City Of Emeryville Five Year Capital Improvement Program. (Susan Hsieh / Andrew Clough)

Attachments: [Staff Report](#)
[Proposed Capital Improvement Program](#)

- 12.2.1 [ID-2019-236](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Capital Improvement Program For The City Of Emeryville For The 2019-20 Through 2023-24 Fiscal Years. (Susan Hsieh / Andrew Clough)

Attachments: [Draft Resolution](#)

- 12.2.2** [ID-2019-237](#) Resolution Of The City Council Of The City Of Emeryville Authorizing Appropriations For The 2019-20 And The 2020-21 Funding Cycles Of The City Of Emeryville Five Year Capital Improvement Program. (Susan Hsieh / Andrew Clough)

Attachments: [Draft Resolution](#)
[Appendix A - CIP Project List](#)

13. DEPARTMENT HEAD REPORTS

13.1. [ID-2019-209](#) Planning Director's report on Planning Commission actions at the May 23, 2019 meeting:

- (a) WeWork High-Rise Sign. Consideration of a Major Sign Permit for one high-rise identification sign at 1900 Powell Street.*
- (b) Tower Separation Requirement Amendment. Consideration of amendments to Article 2 of Chapter 4 of the Planning Regulations concerning separation of buildings over 100 feet tall.**
- (c) Onni Christie Mixed Use Project. Second 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 15-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.
- (d) 40th Street/40th and San Pablo Bus Hub Design. Consideration of a recommendation to the City Council to approve the design of 40th Street and the 40th and San Pablo Bus Hub to create bus-only lanes, a two-way bikeway on the north side of the street, bicycle-pedestrian intersection improvements, streetscaping with green infrastructure and public art opportunities, and bus stop improvements including passenger boarding areas.

* 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.

** First reading of ordinance scheduled for City Council consideration on July 9, 2019.

The packet for the May 23, 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-2019-249](#)

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.

June 18, 2019 City Council Meeting

- Special Meeting: FY 2019-20 Community Advisory Body Appointments
- Public Hearing: Introduction and First Reading Of An Ordinance Amending Chapter 24 "Construction and Demolition Waste Requirements"
- Parking Management Program Implementation RFP
- Green Infrastructure Plan Adoption
- Banking Service Agreements

July 9 Annual Meetings

- Public Financing Authority
- Community Development Commission
- Management of Emeryville Services Authority

July 9, 2019 City Council Meeting

- Study Session: Project Labor Agreements
- Public Hearing: Planning Regulations Amendment to Modify Tower Separation Requirements
- 40th/San Pablo Transit Hub and 40th Street Redesign Approval
- Climate Action Plan Update

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 JUNE 18, 2019, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608