



CITY OF EMERYVILLE
AGENDA
City Council

Emeryville City Hall
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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, September 17, 2019

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**
 - 4.1. [ID-2019-449](#) Presentation: East Bay Municipal Utility District (EBMUD) - Emeryville Update, and Public Safety Power Shut-off (PSPS) Preparations. (EBMUD Director Katz)
- 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-2019-447](#) Warrants. (Susan Hsieh)
Attachments: [Staff Report](#)
[Wire Transfers](#)
[Check Register](#)
- 10.2.** [ID-2019-452](#) Action Minutes of the September 3, 2019 Emeryville City Council / Management of Emeryville Services Authority Special Closed Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.3.** [ID-2019-440](#) Action Minutes of the September 3, 2019 Emeryville City Council Special Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.4.** [ID-2019-439](#) Action Minutes of the September 3, 2019 Emeryville City Council Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.5.** [ID-2019-433](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The Grant Agreement With The City Of Oakland In The Amount Of \$50,000 Per Year For FY2019-2020 And FY2020-2021 For A Total Of \$100,000 For The 8 To Go Paratransit Shuttle. (Pedro Jimenez / Brad Helfenerger)
Attachments: [Staff Report](#)
[Oakland Resolution](#)
[Draft Resolution](#)
[Grant Agreement](#)
[APPROVED Resolution No. 19-132](#)
- 10.6.** [ID-2019-430](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The Project Funding Agreement With The Alameda County Transportation Commission In The Amount Of \$132,000 For The Purchase Of A New Wheelchair Accessible Bus For The Emeryville Senior Center Group Trips Program And Appropriate Said Funds To 261-91200. (Pedro Jimenez / Brad Helfenberger)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[ACTC Project Funding Agreement](#)
[APPROVED Resolution No. 19-133](#)

- 10.7.** [ID-2019-422](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Project Funding Agreement With The Alameda County Transportation Commission For The Emery Go-Round General Benefit For Fiscal Years 2019-20 And 2020-21 And Any Amendments To Effectuate Funding. (Charles S. Bryant / Diana Keena)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Project Funding Agreement](#)
[APPROVED Resolution No. 19-134](#)
- 10.8.** [ID-2019-446](#) Consideration Of Whether To Direct Staff To Prepare Loan Documents And Associated Regulatory Documents For Acquisition Of 3600, 3610 and 3620 San Pablo Avenue. (Charles S. Bryant / Chadrick Smalley / Valerie Bernardo)
Attachments: [Staff Report](#)
- 10.9.** [ID-2019-444](#) Resolution Of The City Council Of The City Of Emeryville Rejecting All Bids For The Early Childhood Development Center Rehabilitation, CIP No. 16475013, And Authorizing The City Engineer To Advertise For Public Bids For The Child Development Center Roof Replacement Project; CEQA Determination: Exempt Pursuant To 15301(D). (Andrew Clough)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Bid Results](#)
[APPROVED Resolution No. 19-135](#)
- 10.10.** [ID-2019-445](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager Enter Into A License Agreement With The East Oakland Community Project (EOCP) For Real Property Located At 4300 San Pablo Avenue, For Use As A Temporary Emergency Family Shelter For A Period Of Up To Twenty-Four Months; And To Sign All Relevant And Necessary Documents Pertaining To The License Agreement (CEQA Determination: Exempt Pursuant To California Government Code Section 8693.4(a)(4) And State CEQA Guidelines Sections 15269(c), 15301, 15303, 15332, And 15061(b) (3)) (Christine Daniel)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Attachment A - License Agreement](#)
[APPROVED Resolution No. 19-136](#)

11. PUBLIC HEARINGS

- 11.1. [ID-2019-434](#) Ordinance Of The City Council Of The City Of Emeryville Adopting An Amendment To The Sherwin Williams Planned Unit Development/ Preliminary Development Plan (PUD/PDP) To Allow The Removal Of Street Trees On The West Side Of Horton Street (CEQA Determination: Environmental Impact Report for Sherwin Williams Project PUD Certified By City Council on September 6, 2016). (Charles S. Bryant / Miroo Desai)

Attachments: [Staff Report](#)

[Attachment 1 - Approved Landscape Plan](#)

[Attachment 2 - Community Benefits Summary](#)

[Attachment 3 - City Arborist Reports](#)

[Attachment 4 - Conceptual Undergrounding Plan](#)

[Attachment 5 - Ordinance No. 16-006 \(without Exhibits\)](#)

[Draft Ordinance](#)

[Exhibit A - Conditions of Approval](#)

[Exhibit B - Amended Landscape Plan 9-17-19](#)

12. ACTION ITEMS

- 12.1. [ID-2019-426](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Release Of A Request For Qualifications And Proposals For The Design And Development Of An Affordable Senior Or Intergenerational Rental Housing Development At 4300 San Pablo Avenue. (Charles S. Bryant / Chadrick Smalley / Valerie Bernardo)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Exhibit A - Request for Qualifications/Proposals \(without attachments\)](#)

[APPROVED Resolution No. 19-137](#)

- 12.2. [ID-2019-437](#) Council Discussion On Whether To Form An Ad Hoc Committee Of The City Council To Discuss And Make Recommendations Regarding The City's Recognition Policy. (Sheri Hartz)

Attachments: [Staff Report](#)

[Council Policy #1: Naming Dedication of City Facilities](#)

- 12.3. [ID-2019-450](#) Council Discussion On Whether To Provide Direction To Staff To Bring Forward Council Action On The Use Of Facial Recognition Technology. (Sheri Hartz)

Attachments: [Staff Report](#)

13. DEPARTMENT HEAD REPORTS**14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS****15. ADJOURNMENT****LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS**

[ID-2019-442](#) **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.

October 1, 2019 City Council Meeting

- Study Session: High-Rise Regulations on Unit Mix (Part 2)
- Public Hearing: Noise Waiver for 3800 San Pablo Avenue (Intersection Project)
- Marketplace Parcel B Appeal Consideration

October 15, 2019 City Council Meeting

- Highest and Best Use of Curb Toolkit Approval
- Annual Art Show Purchase

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 OCTOBER 1, 2019, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608