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CITY OF EMERYVILLE

ACTION MINUTES

City Council

Members:

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

AMENDED

Tuesday, November 7, 2017

7:16 PM

Council Chambers

1. CALL TO ORDER AND COUNCIL MEMBER OATH AND SONG

The meeting was called to order at 7:48 p.m.

2. ROLL CALL

Present: 5 - Mayor Scott Donahue
Vice Mayor John J. Bauters
Council Member Dianne Martinez
Council Member Ally Medina
Council Member Christian R. Patz

3. APPROVAL OF FINAL AGENDA

A motion was made by Council Member Patz, seconded by Council Member Medina, to approve the Final Agenda. The motion carried by the following vote:

Ayes: 5 - Mayor Donahue, Vice Mayor Bauters, Council Member Martinez, Council Member Medina, and Council Member Patz

4. SPECIAL ORDERS OF THE DAY

4.1. [ID-2017-655](#) Recognition Of Employee Of The Quarter: Emi Theriault. (Lisa Lopez)

Human Resources Director Lopez introduced the Employee of the Quarter, Emi Theriault.

5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES

City Clerk Hartz gave a brief report on the City's current community advisory committee vacancies.

6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS

Council Member Patz thanked Community Services Director Jimenez for presenting at his children's school and a potential collaboration.

7. PUBLIC COMMENT FOR CONSENT AGENDA / ITEMS NOT ON THE AGENDA

There were no comments made.

8. CITY MANAGER'S REPORT

City Manager Lehr announced two upcoming parking management community meetings, and the art purchase award celebrations to be held on December 7th and 13th. She also provided a brief report on the budget and first quarter revenues.

9. EX PARTE COMMUNICATIONS

No ex parte communications were reported.

10. CONSENT ITEMS

Approval of the Consent Agenda

A motion was made by Council Member Medina, seconded by Council Member Patz, to approve the Consent Agenda. The motion carried by the following vote:

Ayes: 5 - Mayor Donahue, Vice Mayor Bauters, Council Member Martinez, Council Member Medina, and Council Member Patz

10.1. [ID-2017-705](#) Warrants. (Susan Hsieh)

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

A motion was made to accept this Informational Report.

10.2. [ID-2017-684](#) Action Minutes of the October 17, 2017 Emeryville City Council Special Closed Session Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

10.3. [ID-2017-687](#) Action Minutes of the October 17, 2017 Emeryville City Council Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

10.5. [ID-2017-664](#) Annual Development Impact Fee Report - Fiscal Year 2016-2017

(Charles S. Bryant)

Attachments: [Staff Report](#)

[Attachment 1 - Public Facilities Funded by Development Impact Fees](#)

[Attachment 2 - Impact Fees Revenues, Expenditures, and Fund Balances - FY16-17](#)

[Attachment 3 - Impact Fee Projects from FY 17-21 CIP](#)

[Attachment 4 - City of Emeryville Development Impact Fees FY16-17](#)

A motion was made to accept this Informational Report.

- 10.6. [ID-2017-676](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into An Agreement By And Between The County Of Alameda And The City Of Emeryville For The Purpose Of Carrying Out The Completion Of The Assessment Of Fair Housing (Charles S. Bryant / Chadrick Smalley / Catherine Firpo)

Attachments: [Staff Report](#)

[Resolution](#)

[Intergovernmental Agreement](#)

[APPROVED Resolution No. 17-168](#)

A motion was made to approve this Resolution.

Enactment No: 17-168

- 10.7. [ID-2017-682](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute An Amendment To Contract #CSPP-7008 With The State Department Of Education, Office Of Child Development, For Fiscal Year 2017-2018 Increasing The Funding Amount From \$150,572 To \$170,230 And Appropriate Said Funds When Received To Account 230-53600. (Pedro Jiminez)

Attachments: [Staff Report](#)

[Resolution](#)

[Contract](#)

[Attachment: Resolution 17-134 \(Sept. 5, 2017 Council Mtg.\)](#)

[APPROVED Resolution No. 17-169](#)

A motion was made to approve this Resolution.

Enactment No: 17-169

- 10.8. [ID-2017-691](#) 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 2016/17 In The Amount Of Seventy Five Thousand (\$75,000) And For The Academic School Year 2017/18 In The Amount Of Ninety Thousand (\$90,000) And Appropriate Said Funds When Received To Account Number 5450-53660.

(Pedro Jimenez)

Attachments: [Staff Report](#)

[Resolution](#)

[MOU](#)

[Budget](#)

[APPROVED Resolution No. 17-170](#)

A motion was made to approve this Resolution.

Enactment No: 17-170

- 10.9.** [ID-2017-688](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Debt Management Policy (Susan Hsieh)

Attachments: [Staff Report](#)

[Resolution](#)

[Exhibit A - Debt Management Policy](#)

[APPROVED Resolution No. 17-171](#)

A motion was made to approve this Resolution.

Enactment No: 17-171

- 10.10.** [ID-2017-680](#) South Bayfront Bridge / Horton Landing Park, Project EPW17-112 (CIP # 16475006). (Andrew Clough / Todd Teachout)

Attachments: [Staff Report](#)

A motion was made to accept this Item.

- 10.10.1** [ID-2017-702](#) Resolution Of The City Council Of The City Of Emeryville Adopting Standard Plans And Specifications For Public Works Construction, Superseding Resolution No. 14-173.

Attachments: [Resolution](#)

[APPROVED Resolution No. 17-172](#)

A motion was made to approve this Resolution.

Enactment No: 17-172

- 10.10.2** [ID-2017-703](#) Resolution Of The City Council Of The City Of Emeryville Affirming That The Procedure Of Pre-Qualifying General Contractors For Construction Of The South Bayfront Pedestrian Bicycle Bridge As

Authorized By Resolution No. 10-84 And As Implemented And Initiated On September 6, 2017 Shall Be Abandoned And Not Applied To Pre-Qualification Of Bidders For Said Project And Directing The Director Of Public Works To Re-Issue A New Request For Proposals For Pre-Qualification Of General Contractors For The Construction And Installation Of The South Bayfront Pedestrian Bicycle Bridge Project No. EPW-17-112.

Attachments: [Resolution](#)

[APPROVED Resolution No. 17-173](#)

A motion was made to approve this Resolution.

Enactment No: 17-173

- 10.10.3** [ID-2017-704](#) Resolution Of The City Council Of The City Of Emeryville Adopting Green Building And Bay-Friendly Landscaping Requirements Applicable To City Projects and Superseding Resolution No. 08-77

Attachments: [Resolution](#)

[APPROVED Resolution No. 17-174](#)

A motion was made to approve this Resolution.

Enactment No: 17-174

11. PUBLIC HEARINGS

- 11.1.** [ID-2017-675](#) Resolution Of The City Council Of The City Of Emeryville Approving 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 CEQA Guidelines Sections 15303(b) and 15061(b)(3)) (Charles S. Bryant / Navarre Oaks)

Attachments: [Staff Report](#)

[Resolution](#)

[Exhibit A - Conditions of Approval](#)

[Arborist Report](#)

[Project Plans](#)

[APPROVED Resolution No. 17-175](#)

Assistant Planner Navarre Oaks gave the staff presentation and responded to Council questions.

PUBLIC HEARING OPEN: 8:18 p.m.

Andre Carpiaux spoke regarding the project, stating that there were no environmental components to it.

PUBLIC HEARING CLOSED: 8:21 p.m.

Following Council discussion, Applicant Jake Aftergood spoke regarding the potential solar capabilities of the project.

A motion was made by Vice Mayor Bauters, seconded by Council Member Medina, to approve this Resolution. The motion carried by the following vote:

Ayes: 5 - Mayor Donahue, Vice Mayor Bauters, Council Member Martinez, Council Member Medina, and Council Member Patz

Enactment No: 17-175

12. ACTION ITEMS

- 12.1. [ID-2017-677](#) Consideration Of The Installation Of Flexible Bollards On Horton Street As Pilot Project (Andrew Clough / Ryan O'Connell)

Attachments: [Staff Report](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[Exhibit D](#)

Public Works Director Andrew Clough introduced Senior Civil Engineer Ryan O'Connell, who gave the staff presentation and responded to Council questions.

- 12.1.1 [ID-2017-694](#) Resolution Of The City Council Of The City of Emeryville To Install Flexible Bollards On Horton Street From 53rd Street To 59th Street.

Attachments: [Resolution](#)

This Resolution was not adopted.

- 12.1.2 [ID-2017-695](#) Resolution Of The City Council Of The City of Emeryville To Install Flexible Bollards On Horton Street From Powell Street Bridge To 59th Street.

Attachments: [Resolution](#)

[APPROVED Resolution No. 17-176](#)

A motion was made by Council Member Medina, seconded by Vice Mayor Bauters, to approve as amended this Resolution. The motion carried by the following vote:

Ayes: 5 - Mayor Donahue, Vice Mayor Bauters, Council Member Martinez, Council Member Medina, and Council Member Patz

Enactment No: 17-176

- 12.2.** [ID-2017-693](#) Resolution Of The City Council Of The City of Emeryville Appointing Standby Officers For Council Member Succession In The Event Of A Declared Emergency. (Sheri Hartz)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A to Resolution](#)
[Attachment 2: Standby Officer Candidates](#)
[Attachment 3: Gov't. Code Sections](#)
[APPROVED Resolution No. 17-177](#)

City Clerk Hartz gave a brief introduction and answered questions from Council.

PUBLIC COMMENT

Andre Carpiaux spoke regarding the previous item, and what the width of the bicycle lanes would be.

A motion was made by Council Member Patz, seconded by Vice Mayor Bauters, to approve this Resolution. The motion carried by the following vote:

Ayes: 5 - Mayor Donahue, Vice Mayor Bauters, Council Member Martinez, Council Member Medina, and Council Member Patz

Enactment No: 17-177

- 12.3.** [ID-2017-679](#) Consideration Of Transportation Committee Recommendation For Request For Approval Of The Public Market Short Term Parking Phase II Project. (Andrew Clough / Keely Nelson)

Attachments: [Staff Report](#)
[Attachment 1 - Marketplace Phase 2 Parking Zones](#)

Public Works Director Clough gave the staff report and responded to questions.

PUBLIC COMMENT

Andrea Carpiaux asked whether there would be a solar component associated with the project.

A motion was made by Vice Mayor Bauters, seconded by Council Member Patz, to approve this Other Item. The motion carried by the

following vote:

Ayes: 5 - Mayor Donahue, Vice Mayor Bauters, Council Member Martinez, Council Member Medina, and Council Member Patz

- 12.4.** [ID-2017-681](#) Consideration Of The Installation Of A Four-Hour Green Parking Zone At The Westerly Corner Of Halleck Street and Sherwin Avenue. (Andrew Clough / Ryan O'Connell)

Attachments: [Staff Report](#)

[Exhibit A](#)

Public Works Director Clough gave the staff report and responded to Council questions.

A motion was made by Council Member Patz, seconded by Council Member Martinez, to approve this Informational Report. The motion carried by the following vote:

Ayes: 5 - Mayor Donahue, Vice Mayor Bauters, Council Member Martinez, Council Member Medina, and Council Member Patz

- 12.5.** [ID-2017-700](#) Consideration Of Proposed Cancellation A Portion Of The City Council Meeting On November 21, 2017. (Sheri Hartz)

Attachments: [Staff Report](#)

City Clerk Hartz gave a brief introduction of the item and answered Council questions.

A motion was made by Council Member Martinez, seconded by Council Member Medina, to approve this Other Item. The motion carried by the following vote:

Ayes: 5 - Mayor Donahue, Vice Mayor Bauters, Council Member Martinez, Council Member Medina, and Council Member Patz

13. COMMUNICATION AND REPORTS

13.1. Department Heads

Community Development Director Bryant announced two upcoming events: 1) a public meeting on November 13, 2017, at ECCL from 6:00 to 8:00 p.m. regarding Level 4 bicycle boulevard traffic calming treatments on Horton, 45th and 53rd Streets; and 2) Shellmound/Powell Street Bridge Public Art Project Column Lighting Ceremony on December 12, 2017, at approximately 4:00 to 6:00 p.m.

Police Chief Tejada invited Council to a canine training on November 13, 2017, a 6:00 p.m. at the Emeryville Police Department. Chief

Tejada also announced the next Coffee with a Cop event on November 15, 2017, from 8:00 to 10:00 a.m. at Ruby's Cafe.

13.1.1 [ID-2017-674](#) Planning Director's report on Planning Commission actions at the October 26, 2017 meeting:

(a) Local Hazard Mitigation Plan Update 2017-2022 - Review and comment on City of Emeryville Local Hazard Mitigation Plan Update 2017-2022.

(b) Sherwin Williams - Architectural Final Development Plan - A third study session to solicit comments on the Final Development Plan (FDP) design concept for buildings in the Sherwin Williams Planned Unit Development site.

(c) Sherwin Williams - Public Park and Open Space Final Development Plan - A third study session to solicit comments on the Final Development Plan (FDP) conceptual design programming of the public park and other public open spaces within the Sherwin Williams Planned Unit Development site.

(d) Adeline Springs - A second study session to solicit comments on a Conditional Use Permit and Design Review application to demolish an existing 5,866 square foot building ("U.S. Spring") and construct a new five-story building that will accommodate 29 rental residential units and 4 to 6 live-work units on a 12,528 square foot parcel located at 3637 Adeline Street.

The packet for the October 26, 2017 Planning Commission meeting can be viewed online at <http://ca-emeryville.civicplus.com/Archive.aspx?AMID=43&Type=Recent>

13.2. Council Members Reporting on Meetings Attended

Council Member Medina reported on the first Bike Share Accessibility meeting, stating there was interest in broadening the accessible use of bikes to Go Bike stations.

Council Member Martinez reported an upcoming meeting at City Hall on November 13, 2017, at 6:30 p.m. for a citizen's advisory committee for East Bay Community Energy and stated that the public was welcome to attend.

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

Vice Mayor Bauters requested an item be added to the December 5th

Council meeting agenda to consider revisions to the Council Rules of Procedure.

Council Member Martinez raised the issue of restaurant opportunity centers and asked for an item to discuss whether the City could give material support by providing meeting space. It was suggested that the item go to the Economic Development Advisory Committee first, before being considered by the Council.

15. ADJOURNMENT

The meeting adjourned at 9:15 p.m.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Emeryville City Council

/Sheri Hartz/

Sheri Hartz, City Clerk