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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 R. Patz	Council Member

Tuesday, April 18, 2017

7:16 PM

Council Chambers

1. CALL TO ORDER AND COUNCIL MEMBER OATH AND SONG

The meeting was called or order at 7:26 PM.

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

The Mayor suggested that Item 12.6, regarding the blue disabled parking zone, be moved up on the agenda for the convenience of the applicant, and Council Member Martinez requested and received support to move Item 12.3 regarding Fair Work Week to immediately follow 12.6. Mayor Donahue announced that Item 10.6 would be continued to the regular City Council meeting on May 16, 2017 and Vice Mayor Bauters requested and received support for Item 12.4 to be continued to the May 16, 2017 meeting as well.

A motion was made by Mayor Donahue, seconded by Council Member Patz, to approve the final agenda as amended. 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-2017-237](#) Swearing In Of City Of Emeryville Police Captain Oliver Collins. (Chief Jennifer Tejada)

Chief Tejada introduced and swore in new Police Captain Oliver Collins and Captain Collins' wife pinned on his badge.

- 4.2. [ID-2017-267](#) Recognition of Employee of the Quarter: Officer Michelle Shepherd. (Lisa Lopez)

City Manager Lehr introduced new Human Resources Director Lisa Lopez, who then brought forward the Employee of the Quarter, Michele Sheperd. Mayor Donahue read remarks about her service and presented Ms. Sheperd with a recognition plaque.

- 4.3. [ID-2017-222](#) Proclamation Of The City Council of the City of Emeryville Proclaiming April 22, 2017 as Earth Day In the City Of Emeryville. (Sheri Hartz)

Attachments: [Proclamation](#)
[Emeryville Sustainability Infographic](#)

Community Services Director Pedro Jimenez accepted the proclamation and announced upcoming Earth Day events in Emeryville.

5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES

City Clerk Sheri Hartz announced current and upcoming advisory body vacancies.

6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS

Vice Mayor Bauters gave a reminder about the upcoming Study Session on small business to be held on May 16, 2017 at ECCL, Council Member Martinez encouraged attendance at the Community Expo on April 22, 2017, and Council Member Patz reported that he had completed his Alameda County Housing Authority orientation and stated that the Spring Festival had been very successful.

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

1. Rob Arias spoke regarding the blight in his neighborhood and his dissatisfaction with the recent Halleck-Beach Dog Park town meeting.
2. Brian Donahue spoke regarding what is meant by "blight" which he said refers to homeless people, and commented on the most recent crime statistics report, which he stated reported on the race of suspects.
3. Alexa Goloff stated she was concerned about trees near her home on Stanford Avenue whose roots are creating a trip hazard on the sidewalk.

8. CITY MANAGER'S REPORT

No report was given.

9. EX PARTE COMMUNICATIONS

Council Member Martinez, Vice Mayor Bauters and Mayor Donahue each reported that they had met with workers, and representatives from both the Center for Popular Democracy and Alliance of Californians for Community Empowerment (ACCE).

10. CONSENT ITEMS

Approval of the Consent Agenda

A motion was made by Council Member Martinez, seconded by Council Member Patz, to approve the Consent Agenda, with Item 10.6 being continued to the May 16th meeting. 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-2017-223](#) Warrants. (Susan Hsieh)

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

A motion was made to approve this item.

- 10.2. [ID-2017-217](#) Action Minutes of the April 4, 2017 Emeryville City Council Special Closed Session Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.3. [ID-2017-219](#) Action Minutes of the April 4, 2017 City Council Special Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.4. [ID-2017-221](#) Action Minutes of the April 4, 2017 Emeryville City Council Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.5. [ID-2017-213](#) Resolution Of The City Council Of The City Of Emeryville Approving And Authorizing The Release Of A Request For Proposals For Banking Services (Susan Hsieh)

Attachments: [Staff Report](#)
[Resolution](#)
[Draft Request for Proposal for Banking Services](#)
[Emeryville Agreement Format](#)
[Pricing Schedules](#)
[APPROVED Resolution No. 17-46](#)

A motion was made to approve this Resolution.

Enactment No: 17-46

- 10.6.** [ID-2017-268](#) Second Reading Of An Ordinance Of The City Council Of The City Of Emeryville Authorizing An Amendment To The Contract Between The City Of Emeryville And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) With Respect To Public Safety Employees (Cynthia Kasten / Michael Guina)

Attachments: [Staff Report](#)
[Ordinance](#)
[Amended Agreement](#)

Item continued to the May 16, 2017, City Council regular meeting.

This item was continued to the City Council meeting on May 16, 2017.

- 10.7.** [ID-2017-226](#) Resolution Of The City Council Of The City Of Emeryville In Support Of AB 1506 (Bloom) Residential Real Property: Costa-Hawkins Rental Housing Act (Vice Mayor John Bauters / Sheri Hartz)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Text of AB 1506](#)
[APPROVED Resolution No. 17-47](#)

A motion was made to approve this Resolution.

Enactment No: 17-47

11. PUBLIC HEARINGS

- 11.1.** [ID-2017-198](#) Resolution Of The City Council Of The City Of Emeryville Establishing Updated Development Impact Fees For Fiscal Year 2017-2018 (Charles S. Bryant)

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Development Impact Fees Fiscal Year 2017-18](#)
[APPROVED Resolution No. 17-48](#)

Director Bryant gave the staff presentation and responded to Council Member questions.

PUBLIC HEARING OPENED AT 8:52 p.m.

There was no public testimony.

PUBLIC HEARING CLOSED AT 8:52 p.m.

A motion was made by Council Member Martinez, seconded by Council Member Patz, 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: 17-48

- 11.2.** [ID-2017-211](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Chief Of Police To Issue An Annual Cabaret License To Bank Club Cafe For Calendar Year 2017. (Chief Jennifer Tejada)

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A: Conditions of Approval](#)
[Bank Club Application 2017 \(Redacted\)](#)
[APPROVED Resolution No. 17-49](#)

Chief Tejada gave the staff report and responded to questions.

PUBLIC HEARING OPENED AT 8:56 p.m.

There was no public testimony.

PUBLIC HEARING CLOSED AT 8:56 p.m.

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: 17-49

12. ACTION ITEMS

- 12.1. [ID-2017-212](#) Resolution Of The City Council Of The City Of Emeryville Appointing _____ As Community Member To Serve On The Housing Committee For A Term Ending June 30, 2018, And Amending The FY2016-17 Local Roster Of Boards, Commissions And Committees Accordingly. (Sheri Hartz / Lorrayne Leong)

Attachments: [Staff Report](#)
[Resolution](#)
[Current Housing Committee Roster](#)
[Applicant: Celiena Adcock](#)
[Applicant: Louise Engel](#)
[Applicant: Jaclyn Harr](#)
[Applicant: Marchelle Huggins](#)
[APPROVED Resolution No. 17-50](#)

A motion was made by Vice Mayor Bauters, seconded by Council Member Patz, to adopt the Resolution appointing Marchelle Huggins to the Housing Committee. 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: 17-50

- 12.2. [ID-2017-203](#) Resolution Of The City Council Of The City Of Emeryville Approving The Designation Of 4300 San Pablo Avenue As An Affordable Senior Rental Housing Development Site And Authorizing The Release Of A Request For Qualifications And Proposals For The Design And Development Of An Affordable Senior Rental Housing Development At The Site (Charles S. Bryant / Chadrick Smalley / Catherine Firpo)

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Request for Qualifications/Proposals \(w/o attachments\)](#)
[Attachment 3 - Aerial Site Plan](#)
[Attachment 4 - Aerial of Nearby Amenities](#)
[Attachment 5 - Allowable Development Calculations](#)
[APPROVED Resolution No. 17-51](#)

Housing Program Coordinator Catherine Firpo gave a presentation and answered Council questions.

PUBLIC COMMENT

1. Joyce Jacobson spoke in support of the proposal.
2. Mary Farrell also spoke in support of the proposal, stating that finding housing is very difficult for seniors.

A motion was made by Vice Mayor Bauters, seconded by Council Member Patz, 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: 17-51

- 12.3.** [ID-2017-202](#) Update On Fair Workweek Implementation. (Charles S. Bryant / Chadrick Smalley / April Shabazz)

Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Professional Services Agreement With Mills College In An Amount Not To Exceed \$182,218 For Assistance With Fair Workweek Outreach And Education

Attachments: [Staff Report](#)

[Resolution](#)

[Exhibit A - Professional Services Agreement](#)

Management Analyst April Shabazz gave the staff presentation and responded to Council questions.

PUBLIC COMMENT

1. Kelby thanked the Council for passing Fair Work Week, and stated that he wanted enforcement to be strong. He questioned whether Mills College would provide adequate outreach to employees.
2. Kwame Grant thanked the Council for implementing Fair Work Week and hoped there would be adequate outreach.
3. Prince Saruhan stated that Emeryville could act as a model for a Fair Work Week policy in Oakland. He added that extensive outreach needed to be done.
4. Lily Wang, Center for Popular Democracy, read a statement on behalf of others who could not attend, which provided their opinions about how effective enforcement could be achieved.
5. Kate Karniouchina, Mills College representative, stated that she welcomed conversations regarding any concerns about Mills College doing this work and discussed their experience.
6. Andre Carpiaux stated that Mills College was a private institution, not constrained by the education code.
7. Brian Donahue spoke in support of public money being spent to

help the community through Fair Work Week implementation.

8. Nick stated his hours are being cut, so the implementation of Fair Work Week was important to him, and recommended that CPD or ACCE be awarded the contract.

COUNCIL DISCUSSION

Council Members Martinez and Medina formed an Ad Hoc Committee to further discuss the issue, which would be continued to the special meeting on April 27, 2017.

A motion was made by Council Member Martinez, seconded by Mayor Donahue, to continue this item to the Special Council Meeting to be held on April 27, 2017. 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-2017-200](#) Resolution Of The City Council Of The City Of Emeryville Approving A Façade Improvement Grant Program And Appropriating \$200,000 From The Economic Development Fund (Fund 202) To Façade Grant Program (Account Number 202-87380) In The Economic Development And Housing Division Budget For Fiscal Year 2017-18 (Charles S. Bryant / Chadrick Smalley / Emi Thériault)

Attachments: [Resolution](#)

[Exhibit A - Draft Program Guidelines](#)

This item was continued to the May 16, 2017, City Council regular meeting.

- 12.5.** [ID-2017-201](#) Introduction And First Reading Of An Ordinance Of The City Council Of The City Of Emeryville Adding Chapter 24 To Title 8 Of The Emeryville Municipal Code Relating To Lead-Safe Renovation, Repair and Painting; CEQA Determination: Exempt Pursuant To CEQA Guidelines Sections 15061(b)(3) And 15378(b)(3) (Charles S. Bryant / Victor R. Gonzales)

Attachments: [Staff Report](#)

[Ordinance](#)

Director Bryant gave the staff presentation and responded to Council Member questions.

A motion was made by Vice Mayor Bauters, seconded by Council Member Medina, to the Ordinance by title only. The motion carried by the following vote:

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

A motion was made by Vice Mayor Bauters, seconded by Council Member Martinez, to approve the first reading and introduction of this Ordinance. The motion carried by the following vote:

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

- 12.6.** [ID-2017-204](#) Consideration Of A Request For A Blue Disabled Parking Zone In Front Of 1091 45th Street, Emeryville. (Maurice Kaufman / Lorryne Leong)

Attachments: [Staff Report](#)

[Application: Ms. Phyllis Leal](#)

[Map of Proposed Location and Street Views](#)

A motion was made by Vice Mayor Bauters, 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

- 12.7.** [ID-2017-231](#) Amending The Rules Of Procedure For City Council Committees And Community Advisory Committees As Directed At The March 21, 2017 Council Meeting And Amending The City Council Rules Of Procedure To Reinstate Council Liaison Positions. (Sheri Hartz)

Attachments: [Staff Report](#)

[Exhibit A](#)

City Clerk Sheri Hartz gave a presentation and responded to Council questions.

PUBLIC COMMENT

1. Bill Reuters spoke in support of Council liaisons being restored.

- 12.7.1.** [ID-2017-232](#) Resolution Of The City Council Of The City Of Emeryville Amending The Rules Of Procedure For City Council Committees and Community Advisory Committees Of The City Of Emeryville

Attachments: [Draft Resolution](#)

[Exhibit A to Resolution](#)

[APPROVED Resolution No. 17-52](#)

A motion was made by Vice Mayor Bauters, seconded by Council Member Patz, 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: 17-52

- 12.7.2.** [ID-2017-233](#) Resolution Of The City Council Of The City Of Emeryville Amending The City Council Rules Of Procedure

Attachments: [Draft Resolution](#)

[Exhibit A to Resolution](#)

[APPROVED Resolution No. 17-53](#)

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: 17-53

- 12.7.3.** [ID-2017-234](#) Resolution Of The City Council Of The City Of Emeryville Appointing Council Members To Serve As Council Member Liaisons For Terms Ending December 31, 2017, And Amending The FY2016-17 Local Roster Of Boards, Commissions And Committees Accordingly

Attachments: [Draft Resolution](#)

[APPROVED Resolution No. 17-54](#)

A motion was made by Council Member Martinez, seconded by Council Member Patz, 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: 17-54

- 12.7.4.** [ID-2017-235](#) Resolution Of The City Council Of The City Of Emeryville Amending the Terms For The 2017 Appointments to the Following Community Advisory Committees: Bicycle/Pedestrian Advisory Committee, Budget Advisory Committee, Economic Development Advisory Committee, Parks and Recreation Committee And Public Art Committee

Attachments: [Draft Resolution](#)

[APPROVED Resolution No. 17-55](#)

A motion was made by Council Member Martinez, 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: 17-55

13. COMMUNICATION AND REPORTS

At 9:29 p.m., Council took a brief recess and reconvened at 9:33 p.m.

13.1. Department Heads

13.1.1. [ID-2017-199](#) Council Goals 2017 - 1st Quarter Progress Report. (Carolyn Lehr)

Attachments: [Staff Report](#)

[1st Quarter Progress Report](#)

City Manager Lehr gave a brief report and then she and Chief Winnacker responded to Council Member questions.

13.2. Council Members Reporting on Meetings Attended

Council Member Medina reported that she and Public Works Director Kaufman had attended a meeting with Caltrans. Vice Mayor Bauters reported on his participation in a community meeting regarding a dog park proposal.

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

Council Member Martinez requested a study session in July to include a discussion of the scope of Fire Department services and what the budget opportunities were for adding engine staffing. She also requested a future agenda item to discuss campaign disclosure similar to one Berkely had recently.

Vice Mayor Bauters requested an item on the May 2nd agenda to approve a letter of support for AB 932 related to homelessness and permanent supportive housing opportunities, and requesting that Emeryville be amended into the bill.

Mayor Donahue requested an item to be added to the May 2nd agenda in support of SB 562 regarding California health care.

15. ADJOURNMENT

The meeting adjourned at 9:48 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