



Emeryville City Hall  
1333 Park Avenue  
Emeryville, CA 94608

(510) 596-4300 phone  
(510) 450-7831 fax

[www.emeryville.org](http://www.emeryville.org)

## 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

#### Special Meeting

---

Tuesday, November 21, 2017

5:15 PM

Council Chambers

---

#### 1. CALL TO ORDER AND COUNCIL MEMBER OATH AND SONG

The meeting was called to order at 5:54 p.m. Students from the Oakland School for the Arts sang a rousing version of "This Land Is Your Land", in honor of Mayor Donahue.

#### 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 Vice Mayor Bauters, 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. PUBLIC COMMENT FOR ACTION ITEMS AGENDA / ITEMS NOT ON AGENDA

There were no comments made.

#### 5. EX PARTE COMMUNICATIONS

All Council Members reported having communicated with representatives from Rochambeau, the MN Group, East Bay Therapeutics and Sapphire, as well as with residents of subject buildings.

#### 6. ACTION ITEMS

- 6.1. [ID-2017-710](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Police Chief To Issue A Cannabis Dispensary/Retailer Permit For A Storefront Dispensary To \_\_\_\_\_. (Michael Guina / Andrea Visveshwara / Chadrick Smalley)

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

[Attachment 1 - Resolution](#)

[Attachment 2 - RFQ](#)

[Attachment 3 - Rating Sheets](#)

[Attachment 4 - Rochambeau Information](#)

[Attachment 5 - MN Group Information](#)

[Attachment 6 - East Bay Therapeutics Information](#)

[Attachment 7 - GL Partners Information](#)

[PUBLIC COMMENT: Nasser Azimi - Ohana Email](#)

[PUBLIC COMMENT Berkeley Patients Group - Add'l Info  
Endorsements](#)

[APPROVED Resolution No. 17-178](#)

[APPROVED Resolution No. 17-179](#)

Economic Development and Housing Manager Smalley gave the staff presentation and responded to Council questions.

Applicant presentations were received from the following:

1. Rochambeau (NuLeaf): Sean Luse
2. Green Door: Michael Nolin
3. East Bay Therapeutics Group: Rob Fong, Ron Leggett and Kimberly Cargile
4. Harvest Group: Marty Higgins

#### PUBLIC COMMENT

1. Miguel Rodriguez spoke in favor of the Green Door.
2. Janet King spoke in support of East Bay Therapeutics.
3. Chirac Patel asked the Council to consider a social equity component, and award to a local entity, East Bay Therapeutics
4. David Kaufman, spoke in support of East Bay Therapeutics.
5. Kirsten MacDonald spoke in support Rochambeau/Berkeley Patient's Group (BPG).
6. Sabrina Fendrich, spoke in support of Berkeley Patient's Group.
7. Ramsey Wright spoke in opposition to site that would impact on his business location and parking problems.
8. Jason Nicolas requested that BPG do a town hall meeting to address parking concerns.

9. Paul Moench spoke in opposition to dispensary being located near his building for safety reasons.
10. Resident spoke in opposition to dispensary being located near their residence. (corner of San Pablo)
11. David Kang spoke in support of Green Door.
12. Mamie Wong spoke in opposition to the location of a dispensary being located in her building for safety and parking reasons.
13. John Sedgwick spoke in opposition to a dispensary being approved in his building, citing insurance concerns.
14. Justin Jerin spoke in support of Green Door.
15. Andre Carpiaux stated his concerns about cannabis use.

Assistant City Attorney Visveshwara clarified that the action to be taken was to award the permit or permits, not to determine the location, which would go through a lengthy, public approval process.

**A motion was made by Council Member Martinez, seconded by Vice Mayor Bauters, to approve this Resolution to issue a Cannabis Dispensary/Retailer Permit For A Storefront Dispensary To Rochambeau. The motion carried by the following vote:**

**Enactment No: 17-178**

**Ayes:** 4 - Mayor Donahue, Vice Mayor Bauters, Council Member Martinez, and Council Member Medina

**Noes:** 1 - Council Member Patz

Enactment No: 17-178; 17-179

**A motion was made by Mayor Donahue, seconded by Council Member Patz, to approve this Resolution to issue a Cannabis Dispensary/Retailer Permit For A Storefront Dispensary To East Bay Therapeutics Group. The motion carried by the following vote:**

**Enactment No: 17-179**

**Ayes:** 3 - Mayor Donahue, Council Member Medina, and Council Member Patz

**Noes:** 1 - Vice Mayor Bauters

**Abstain:** 1 - Council Member Martinez

Enactment No: 17-178; 17-179

- 6.2.**     [ID-2017-711](#)     Appointment Of The Mayor And Vice Mayor Of The City Of Emeryville For One-Year Terms Expiring December 2018. (Sheri Hartz)

**A motion was made by Council Member Martinez, seconded by Council Member Patz, to nominate John Bauters as Mayor and Ally Medina as Vice Mayor. The motion carried by the following vote:**

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

- 6.3. [ID-2017-712](#) Administration Of Oath To The Newly Appointed Mayor And Vice Mayor. (Sheri Hartz)

City Clerk Hartz administered the Oath of Office to Mayor Bauters and Vice Mayor Medina.

## 7. ADJOURNMENT

The meeting adjourned at 6:51 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