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CITY OF EMERYVILLE

ACTION MINUTES

City Council

Members:

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

Regular Meeting

Tuesday, November 13, 2018

7:16 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:16 p.m.

2. ROLL CALL

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

3. APPROVAL OF FINAL AGENDA

A motion was made by Mayor Bauters, seconded by Council Member Donahue, to approve the Final Agenda, amended to consider Item 12.4 at the start of the Action Item agenda. The motion carried by the following vote:

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

4. SPECIAL ORDERS OF THE DAY

- 4.1.** [ID-2018-622](#) Proclamation: National Adoption Month
Mayor Bauters read aloud the proclamation declaring November 2018 as National Adoption Month in Emeryville. Malaika Parker was present to receive a second proclamation presented to Pact, An Adoption Alliance.
- 4.2.** [ID-2018-631](#) Presentation: Access to Dissemination of Educational Health Information Related to Home Cannabis Growing
Students from the Mills College Public Policy Program, led by Laurel Poeton, were present to make a presentation.

PUBLIC COMMENT

1. Nasser Azimi, East Bay Therapeutics, spoke in support of the presentation, stating that home cultivation is a right and people needed education to do it safely.

5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES

City Clerk Hartz announced the upcoming appreciation event for members of the City's community advisory bodies.

6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS / REPORTS ON MEETING ATTENDANCE

Vice Mayor Medina reported on her attendance of the Tom Bates Sports Complex JPA meeting in Berkeley, at which member cities were asked to consider doubling the amount that paid into the JPA to fund a sports clubhouse and restrooms. She said that the projected cost was significant and clarified that even the doubled fees would not nearly cover it. City Manager Daniel stated that this matter was on staff's radar and they were planning to bring an item forward on a future agenda. The Vice Mayor also reported that she had attended the Biketopia event, where a giant map showing the connections for bikes across the bay bridge had not included Emeryville, so she had provided that feedback.

Council Member Martinez reported on the upcoming Stop Waste meeting where priority setting would be done, and stated that she would be suggesting that the Agency sponsor legislation to firm up requiring producers to reduce plastics upstream, much as they are doing in the EU.

Mayor Bauters reported on his attendance of the Alameda County Transportation Commission policy meeting, and stated that the student transit pass program, currently in pilot, would convert to a full program in the next year, providing discounted and free transit passes to studen riders on AC Transit. He concluded by announcing the ribbon cutting to be held at Christie Park on November 29th.

7. CITY MANAGER'S REPORT

City Manager Daniel provided more information regarding the upcoming Christie Park opening.

8. EX PARTE COMMUNICATIONS

No ex parte communications were reported.

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

Sharon Wilchar thanked everyone involved in helping to make the

Celebration of the Arts such a success.

10. CONSENT ITEMS

Approval of the Consent Agenda

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

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

- 10.1. [ID-2018-626](#) 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-2018-616](#) Action Minutes of the October 30, 2018 Emeryville City Council / City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency Special Closed Session. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.3. [ID-2018-621](#) Action Minutes of the October 30, 2018 Emeryville City Council Special Study Session. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.4. [ID-2018-617](#) Action Minutes of the October 30, 2018 Emeryville City Council Special Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.5. [ID-2018-619](#) Action Minutes of the October 30, 2018 Emeryville City Council Regular Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.6. [ID-2018-609](#) Resolution Of The City Council Of The City Of Emeryville Approving The Annual Development Impact Fee Report For Fiscal Year 2017-2018 (Charles S. Bryant)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Impact Fee Annual Report FY 17-18](#)
[APPROVED Resolution No. 18-158](#)

A motion was made to approve this Resolution.

Enactment No: 18-158

- 10.7. [ID-2018-610](#)** Second Reading Of An Ordinance Of The City Council Of The City Of Emeryville Amending The Planning Regulations To Ensure Consistency With The General Plan By Updating Figure 9-4.201(a): Maximum Floor Areas Ratios, Figure 9-4.202(a): Maximum Building Heights, And Figure 9-4.203(a): Maximum Residential Densities To Reflect Updated General Plan Figures 2-3, 2-4, And 2-6, Respectively (CEQA Determination: Addendum To 2009 General Plan EIR Prepared) (Charles S. Bryant / Miroo Desai)

Attachments: [Staff Report](#)
[Attachment 1 - City Council Staff Report from October 30, 2018.pdf](#)
[Draft Ordinance](#)
[APPROVED Ordinance No. 18-005](#)

A motion was made to approve the second reading and adoption of this Ordinance.

Enactment No: Ordinance No. 18-005

11. PUBLIC HEARINGS

There were no Public Hearings listed.

- 12.1. [ID-2018-629](#)** Resolution Of The City Council Of The City Of Emeryville Approving The Emeryville Transportation Management Association (TMA) 2019 Budget And Setting Compensation To The TMA To Operate The Emery Go Round Shuttle Service During The 2019 Calendar Year Under The Terms Of The Service Agreement For An Amount Not To Exceed Three Million, Five Hundred Eighty-One Thousand, Two Hundred Seventy-One Dollars (\$3,581,271); And Authorizing Payment From The Emeryville Property Based Business Improvement District (PBID) Fund 805. (Susan Hsieh)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[TMA 2019 Budget](#)
[APPROVED Resolution No. 18-159](#)

Finance Manager Susan Hsieh gave the staff presentation and

responded to Council questions. She introduced Roni Hattrup, from TMA, who provided additional information.

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

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

Enactment No: 18-159

- 12.2.** [ID-2018-614](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute An Exclusive Right To Negotiate Agreement With Orton Development Inc. For The Purpose Of Negotiating A Lease Disposition And Development Agreement For The Redevelopment And Operation Of 4060 Hollis Street As An Art Center (Charles S. Bryant / Chadrick Smalley / Emi Thériault)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Exclusive Right to Negotiate Agreement](#)
[APPROVED Resolution No.18-160](#)

The Council waived the staff presentation.

PUBLIC COMMENT:

Sharon Wilchar stated that she was excited about the prospect of a new art center.

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

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

Enactment No: 18-160

- 12.3.** [ID-2018-615](#) Economic Development Strategy Annual Implementation Report (Charles S. Bryant / Chadrick Smalley)

Attachments: [Staff Report](#)
[Attachment 1 - Annual Implementation Report 2018.pdf](#)
[Attachment 2 - Economic Development Strategy](#)

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

A motion was made by Council Member Patz, seconded by Vice Mayor Medina, to accept this Report. The motion carried by the following vote:

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

- 12.4.** [ID-2018-625](#) Introduction and First 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; CEQA Determination: Exempt Pursuant to State CEQA Guidelines 15061(b)(3), 15378 (Lisa Lopez)

Attachments: [Staff Report](#)
[Draft Ordinance](#)
[Contract](#)

The Council waived presentation by staff on this item.

A motion was made by Council Member Martinez, seconded by Council Member Donahue, to read the Ordinance by title only. The motion carried by the following vote:

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

A motion was made by Council Member Donahue, 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 Bauters, Vice Mayor Medina, Council Member Donahue, Council Member Martinez, and Council Member Patz

13. DEPARTMENT HEAD REPORTS

There were no reports given.

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

Council Member Martinez requested and received majority support to add an item to a future agenda to receive an informational report regarding electrification of the City's fleet. It was decided that this topic should first go to the Sustainability Committee for a recommendation. Vice Mayor Medina restated her interest in getting Council's direction on the Gilman Fields issue. Council Member Patz stated that he would be bringing forward an internal facing goal during the Council's January goal setting process related to the City's goals as an employer and organization.

15. ADJOURNMENT

The meeting adjourned at 8:42 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