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CITY OF EMERYVILLE

ACTION MINUTES

City Council

Members:

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

Tuesday, November 19, 2019

7:16 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:31 p.m.

2. ROLL CALL

Council Member Bauters participated in the meeting via teleconference from a noticed, publicly accessible location, as noted on the agenda.

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

3. APPROVAL OF FINAL AGENDA

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

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

4. SPECIAL ORDERS OF THE DAY

4.1. [ID-2019-526](#) Presentation: Introduction of Police Department Employees. (Chief Tejada)
Chief Tejada administered the Oath of Office to new Police Officers Nic Drexler, Andrew Selby and Christian Zavala.

4.2. [ID-2019-541](#) Presentation: Introduction of New Human Resources Director, Trish Raver. (Christine Daniel)

City Manager Daniel announced that the new Human Resources Director, Trish Raver, had started work in Emeryville.

5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES

There was no announcement made.

6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS / REPORTS ON MEETING ATTENDANCE

Council Member Martinez announced that Stop Waste was developing a model foodware ordinance and stated that she would be asking for a future agenda item to discuss the matter with the Council. Vice Mayor Patz announced that he had attended the recent HACA meeting. Mayor Medina reported on her attendance at the two-day music expo hosted at Expression College, stating it had been well-attended. She added that the recent Mayor's Conference had been her last one, and hoped that the new Mayor could pursue an upcoming appointment to the homelessness task force.

7. CITY MANAGER'S REPORT

There was no report given.

8. EX PARTE COMMUNICATIONS

No ex parte communications were reported.

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

Andre Carpiaux commented on the recent shooting of an officer from a neighboring Sheriff's Department.

10. CONSENT ITEMS

Approval of the Consent Agenda

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

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

10.1. [ID-2019-542](#) Warrants. (Susan Hsieh)

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

A motion was made to accept this Informational Report.

10.2. [ID-2019-531](#) Action Minutes of the October 29, 2019 Emeryville City Council Special Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.3.** [ID-2019-532](#) Action Minutes of the November 5, 2019 Emeryville City Council Special Study Session. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.4.** [ID-2019-533](#) Action Minutes of the November 5, 2019 Emeryville City Council Special Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.5.** [ID-2019-534](#) Action Minutes of the November 5, 2019 Emeryville City Council Regular Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.6.** [ID-2019-515](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Second Amendment To The Professional Services Contract With Community Design + Architecture, For An Additional Amount Not To Exceed \$22,613 For The 40th And San Pablo Transit Hub Concept Design, For A Total Contract Amount Not To Exceed \$276,267. (Charles S. Bryant / Diana Keena)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Exhibit A - Second Amendment](#)

[APPROVED Resolution No. 19-154](#)

A motion was made to approve this Resolution.

Enactment No: Resolution No. 19-154

- 10.7.** [ID-2019-495](#) Annual Development Impact Fee Report - Fiscal Year 2018-2019. (Charles S. Bryant)

Attachments: [Staff Report](#)[Attachment 1 - Public Facilities Funded by Development Impact Fees](#)[Attachment 2 - Impact Fees Revenues, Expenditures, and Fund Balances - FY18-19](#)[Attachment 3 - Impact Fee Budgets from FY 19-21 Budget](#)[Attachment 4 - City of Emeryville Development Impact Fees FY18-19](#)

A motion was made to accept this Informational Report.

11. PUBLIC HEARINGS

There were no Public Hearings listed.

12. ACTION ITEMS

- 12.1. [ID-2019-502](#)** Resolution Of The City Council Of The City Of Emeryville Approving Round II Façade Improvement Grant Awards And Authorizing The City Manager To Execute Façade Improvement Grant Contracts With The Grant Awardees. (Charles S. Bryant / Chadrick Smalley / Emi Thériault)

Attachments: [Staff Report](#)[Attachment 1 - Applicant Location Map](#)[Draft Resolution](#)[Exhibit A - EDAC Award Recommendation](#)[Exhibit B - Grant Contract Template](#)[APPROVED Resolution No. 19-155](#)

Community and Economic Development Coordinator Emi Theriault gave the staff presentation and responded to Council questions.

PUBLIC COMMENT

1. Andre Carpiaux spoke about the demolition of his property.

2. Rich Levine, CFO, Escuela Bilingue Internacional, stated he was pleased to be located in Emeryville and looks forward to a long tenure.

A motion was made by Vice Mayor Patz, seconded by Mayor Medina, to adopt as amended this Resolution to approve grants for projects proposed by Campaign and Daryl M Rush Builder - Grand Craftsman Supply. The motion carried by the following vote:

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

Enactment No: Resolution No. 19-155

- 12.2. [ID-2019-527](#)** Adoption Of 2019 California Building Standards Code And Local Amendments. (Charles S. Bryant / Victor Gonzales)

Attachments: [Staff Report](#)

- 12.2.1** [ID-2019-528](#) An Ordinance Of The City Council Of The City Of Emeryville Repealing And Replacing Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 Of Title 8 Of The Emeryville Municipal Code, Entitled "Building Regulations", And Making Required Findings Relating To The Adoption And Amendment Of The California Building Standards Code (CEQA Determination: Exempt Pursuant to CEQA Guidelines 15061(b)(3) and 15378(b)(2))

Attachments: [Draft Ordinance - Building Code](#)

The Council waived staff's presentation on this item.

PUBLIC COMMENT

1. Andre Carpiaux stated he was confused by the proceedings.

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

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

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

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

- 12.2.2** [ID-2019-529](#) An Ordinance Of The City Council Of The City Of Emeryville Repealing And Replacing Chapter 5 Of Title 4 Of The Emeryville Municipal Code, Entitled "Fire Code" And Making Required Findings Relating To The Adoption And Amendment Of The California Building Standards Code; CEQA Determination: Exempt Pursuant to CEQA Guidelines 15061(b)(3) and 15378(b)(2)

Attachments: [Draft Ordinance - Fire Code](#)

The Council waived staff's presentation on this item.

PUBLIC COMMENT

1. Andre Carpiaux spoke regarding the previous item.

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

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

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

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

- 12.3. [ID-2019-504](#)** Consideration Of A Request For An ADA Blue Disabled Parking Zone Along The Northeastern Curb On Park Street At Halleck Street.
(Christine Daniel / Lorrayne Leong)

Attachments: [Staff Report](#)

[Exhibit A: ADA Application \(Shed Salon\)](#)

[Exhibit B: Aerial, Street View, Map](#)

[Exhibit C: Blue Zone Map](#)

Acting Public Works Director Daniel gave the staff presentation and responded to Council questions.

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

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

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 work with City Manager to schedule an upcoming agenda item regarding the Stop Waste model foodware ordinance.

15. ADJOURNMENT

The meeting adjourned at 8:22 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