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## CITY OF EMERYVILLE

### ACTION MINUTES

#### City Council

Members:

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

- AMENDED -

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Tuesday, May 19, 2020

7:16 PM

Council Chambers

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#### 1. CALL TO ORDER

The meeting convened via Zoom webinar at 7:18 p.m. The Mayor read aloud a statement announcing that the meeting was being conducted remotely pursuant to the Brown Act waivers provided for under the Governor's Executive Order in response to the COVID-19 State of Emergency.

#### 2. ROLL CALL

**Present:** 4 - Mayor Christian R. Patz  
Vice Mayor Dianne Martinez  
Council Member John J. Bauters  
Council Member Ally Medina

**Absent:** 1 - Council Member Scott Donahue

Council Member Donahue joined the meeting at approximately 7:20 p.m.

#### 3. APPROVAL OF FINAL AGENDA

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

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

**Absent:** 1 - Council Member Donahue

#### 4. SPECIAL ORDERS OF THE DAY

There were no Special Orders listed.

#### 5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES

The City Clerk reported that the annual recruitment for Committee and Commission members would be open until May 25th, that applications should be submitted online and that the appointments would be made on June 16th.

**6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS / REPORTS ON MEETING ATTENDANCE**

Council Member Bauters announced that the Berkeley Humane Society was distributing pet food to those in financial need due to the public health crisis and gave the information to make an appointment. He also reported that ACTC had taken action to relieve small cities of their obligation to match grant funds for projects, and that the County would pick up those costs. Vice Mayor Martinez reported that East Bay Community Energy had not accepted a nuclear energy allotment from PG&E for 2020. Mayor Patz announced that the Alameda County Housing Committee had appointed a new director and that the scholarship program, for which there were a couple of Emeryville applicants, was underway.

**7. CITY MANAGER'S REPORT**

City Manager Daniel reiterated the message regarding the Berkeley Humane Society pet food program, and stated that details would be available on the City's website.

**8. EX PARTE COMMUNICATIONS**

Mayor Patz reported that he had spoken with School Board Member Susan Donaldson regarding Item 12.2.

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

City Clerk Hartz read into the record a Public Comment received via the online speaker card:

Tira Woody Kongsamut spoke regarding concerns related to public safety at Essex Property Management-run properties in Emeryville.

**10. CONSENT ITEMS**

***Approval of the Consent Agenda***

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

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

**10.1. [ID-2020-208](#)** Warrants. (Susan Hsieh)

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

**A motion was made to accept this Informational Report.**

- 10.2.** [ID-2020-205](#) Action Minutes of the May 5, 2020 Emeryville City Council / Management of Emeryville Services Authority Special Closed Session. (Sheri Hartz)

**Attachments:** [Action Minutes](#)

**A motion was made to approve the Minutes.**

- 10.3.** [ID-2020-206](#) Action Minutes of the May 5, 2020 Emeryville City Council Regular Meeting. (Sheri Hartz)

**Attachments:** [Action Minutes](#)

**A motion was made to approve the Minutes.**

- 10.4.** [ID-2019-617](#) Resolution Of The City Council Of The City Of Emeryville Approving A Master License Agreement Between The City Of Emeryville And New Cingular Wireless PCS, LLC, a Delaware Limited Liability Company, (AT&T) And Authorizing The City Manager To Execute The Agreement. (Michael Guina / Andrea Visveshwara)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Master License Agreement Executed by AT&T](#)  
[APPROVED Resolution No. 20-42](#)

**A motion was made to approve this Resolution.**

Enactment No: Resolution No. 20-42

- 10.5.** [ID-2020-198](#) A Resolution Of The City Council Of The City Of Emeryville Designating The City Manager, The Finance Director And The Management Analyst In Human Resources, On Behalf Of The City, To Be The Authorized Agents To Engage With The Federal Emergency Management Agency (FEMA) And The Governor's Office Of Emergency Services (Cal OES) Regarding Grants Applied For By The City Of Emeryville. (Trish Raver / Lori Elefant)

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

[Draft Resolution](#)

[Exhibit A: Cal OES Form 130 Designation of Applicant's Resolution  
for Non-state](#)

[APPROVED Resolution No. 20-43](#)

**A motion was made to approve this Resolution.**

Enactment No: Resolution No. 20-43

## 11. PUBLIC HEARINGS

No Public Hearing Items Listed.

## 12. ACTION ITEMS

12.1. [ID-2020-199](#) Committee Reports to City Council.

12.1.1 [ID-2020-075](#) The Bicycle/Pedestrian Advisory Committee (BPAC)'s Annual Report On Committee Goals, Principles And Accomplishments For Calendar Year 2019; And Proposed Committee Priorities For Calendar Year 2020. (Christine Daniel / Jaclyn Harr)

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

B/PAC Vice Chair Evan Lovett-Harris gave the Committee's presentation and responded to Council Member Questions.

PUBLIC COMMENT:

1. A call-in speaker stated that the report had been full of fluff, and questioned its accuracy.

12.1.2 [ID-2020-091](#) Housing Committee's Annual Report On Committee Goals, Principles And Accomplishments For Calendar Year 2019; And Proposed Committee Priorities For Calendar Year 2020. (Charles S. Bryant / Chadrick Smalley / Valerie F. Bernardo)

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

Economic Development and Housing Coordinator Valerie Bernardo gave the Committee's presentation and responded to Council Member questions.

PUBLIC COMMENT:

1. A call-in speaker stated that the Housing Committee report only contained good news and that action should be taken to correct the make-up of the Emeryville community in favor of families.

- 12.1.3** [ID-2020-077](#) Parks and Recreation Committee's Annual Report On Committee Goals, Principles And Accomplishments For Calendar Year 2019; And Proposed Committee Priorities For Calendar Year 2020.  
(Brad Helfenberger / Pedro Jimenez)

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

Parks and Recreation Committee Chair Zoe Chafe gave the Committee's presentation and responded to Council Member questions.

**PUBLIC COMMENT:**

1. A call-in speaker asserted that Emeryville was the worst city in the east bay regarding the ratio of park land to residents and stated that the Committee should be doing something about that.

- 12.1.4** [ID-2020-099](#) Budget Advisory Committee's Annual Report On Committee Goals, Principles And Accomplishments For Calendar Year 2019; And Proposed Committee Priorities For Calendar Year 2020.  
(Susan Hsieh)

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

Budget and Advisory Committee Chair William Reuter gave the Committee presentation and responded to Council Member questions.

**PUBLIC COMMENT:**

1. A call-in speaker stated that it was good to hear a Committee addressing problems.

- 12.2.** [ID-2020-088](#) Ad Hoc Committee Report On Street Naming And Council Discussion/Direction. (Mayor Christian R. Patz)

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

Mayor Patz introduced the item which represented a collaboration between he and Council Member Bauters as an ad hoc committee. They each explained the rationale behind renaming a portion of 47th Street, between San Pablo Avenue and Doyle Street, as Steve Dain Drive, in honor of the former Emery High School teacher and trans rights pioneer.

**PUBLIC COMMENT:**

1. A call-in speaker spoke in support of the idea.
2. Susan Donaldson, EUSD Board Member, spoke in support.

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

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

**13. DEPARTMENT HEAD REPORTS**

There were no reports given.

**14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS**

Council Member Bauters requested and received majority support for an item to be brought forward on June 16, 2020, that streamlined and expedited a restaurant's ability to obtain permits for outside dining areas to facilitate social distancing. Vice Mayor Martinez requested and received majority support that the possibility of capping delivery fees charged to restaurants at 15% be researched.

**15. ADJOURNMENT**

The meeting was adjourned at 9:05 p.m.

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

**/Sheri Hartz/**

**Sheri Hartz, City Clerk**