



CITY OF EMERYVILLE
AGENDA
City Council

Emeryville City Hall
1333 Park Avenue
Emeryville, CA 94608
(510) 596-4300 phone
(510) 450-7831 fax
www.emeryville.org

Members:

Mayor John J. Bauters
Vice Mayor Ally Medina
Council Member Scott Donahue
Council Member Dianne Martinez
Council Member Courtney Welch

-- AMENDED --

Tuesday, March 15, 2022

7:16 PM

Teleconference

A complete copy of the agenda packet is available on the city's website at www.emeryville.org/citycouncil. Before the Council meeting, all writings that are public records and relate to an agenda item below which are distributed to a majority of the legislative body less than 72 hours prior to the meeting noticed above will be made available as "late correspondence" and will be published on the agenda beneath the relevant agenda item. The meeting is shown live on the City of Emeryville television channel (ETV), cable channel 27, and will be rebroadcast as part of the regular City Council, Successor Agency, Community Development Commission, Management of Emeryville Services Authority (MESA) and related meetings according to the published ETV schedule of programs. Council meetings will also be available to view through live media streaming accessible from the City of Emeryville website at www.emeryville.org/citycouncil.

You can request free copies of the Emeryville City Council, Successor Agency, Community Development Commission, Management of Emeryville Services Authority (MESA) and related agendas in digital format for the current calendar year by going to our website at www.emeryville.org/notifyme. Simply fill out your information, check "City Council Agendas", and click the "Subscribe" button. By doing so, you will automatically receive all of the agendas for the year via email.

**INFORMATION FOR REGULAR MEETING DURING A DECLARED STATE OF
EMERGENCY**

(to continue until further notice):

Pursuant to California Assembly Bill 361, a local legislative body is authorized to hold public meetings remotely and to make those meetings accessible to all members of the public seeking to observe and to address the local legislative body by remote means only via a technology solution. As such, the City will provide various options for the public to participate in the conduct of the meeting, as indicated in detail below on this cover sheet.

The City will further adhere to the means otherwise prescribed by the Brown Act, which allows members of the public the right to observe and offer public comment during the public meeting, consistent with the public's rights of access and public comment otherwise provided for by the Brown Act, as applicable (including, but not limited to, the requirement that such rights of access and public comment be made available in a manner consistent with the Americans with Disabilities Act).

In addition to the mandatory conditions set forth above, the City will use sound discretion and make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Brown Act, and

other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

The City offers many ways for you to watch and participate in City matters during this time where you may not attend in person. Our City Council meetings are streamed live and on Emeryville TV. Additionally, public comment for Council agenda items can be submitted online via our online speaker card when an agenda is posted. Written comments can also be submitted by email to city_council@emeryville.org or the City Clerk, Sheri Hartz, at shartz@emeryville.org. If you would like to support, oppose, or otherwise comment on an upcoming agenda item, please send in your comments prior to the meeting since there is no option to attend in person.

If you prefer to participate in the meeting using Zoom, please use the information provided here:

Please click the link below to join the webinar:

*<https://emeryville-org.zoom.us/j/84882262515?pwd=dUo5ZHliVGk0T1FYVE4wNHYvWnhGZz09>
Passcode: 326351*

*Or iPhone one-tap: +16699006833,,84882262515#,,,,*326351#*

Or Telephone: 669-900-6833

Webinar ID: 848 8226 2515

Passcode: 326351

International Phone Numbers: <https://emeryville-org.zoom.us/j/84882262515?pwd=dUo5ZHliVGk0T1FYVE4wNHYvWnhGZz09>

All matters listed under CONSENT CALENDAR are considered to be routine and will all be enacted by one motion in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the time the Council votes on the motion to adopt. Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Presiding Officer calls for comments from those persons who are in support of or in opposition thereto. After persons have spoken, the Hearing is closed and brought back to Council level for discussion and action. There is no further comment permitted from the audience unless requested by the Council.

In compliance with the Americans with Disabilities Act, a person requiring an accommodation, auxiliary aid, or service to participate in this meeting should contact the City Clerk's Office or ADA Coordinator at (510) 596 4300, as far in advance as possible but no later than 72 hours before the scheduled event. The best effort to fulfill the request will be made. Assistive listening devices are available for anyone with hearing difficulty from the City Clerk prior to the meeting, and must be returned to the City Clerk at the end of the meeting.

The speaker's time is limited to 3 minutes and can only be extended upon approval of the Presiding Officer. If you are submitting your comments using the online comment card, please be aware that they will be read aloud into the record and will still be limited to the 3 minute time limit.

The AGENDA for this regular meeting is as follows:

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF FINAL AGENDA**
4. **SPECIAL ORDERS OF THE DAY**
 - 4.1. [ID-2022-147](#) Dorieann O'Brien, Vice Consul General of Ireland - Global Greening Initiative. (Mayor Bauters)
5. **ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES**
6. **COUNCIL MEMBER SPECIAL ANNOUNCEMENTS / REPORTS ON MEETING ATTENDANCE**
7. **CITY MANAGER'S REPORT**
8. **EX PARTE COMMUNICATIONS**
9. **PUBLIC COMMENT FOR CONSENT AGENDA / ITEMS NOT ON THE AGENDA**
10. **CONSENT ITEMS**
 - 10.1. [ID-2022-135](#) Warrants. (Brad Farmer)
Attachments: [Staff Report City](#)
[Wire Transfers City](#)
[Check Register City](#)
 - 10.2. [ID-2022-136](#) Action Minutes of the March 1, 2022 Special City Council / Management of Emeryville Services Authority Closed Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.3. [ID-2022-137](#) Action Minutes of the March 1, 2022 Special City Council Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.4. [ID-2022-141](#) Action Minutes of March 1, 2022, City Council Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)

- 10.5.** [ID-2022-114](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Purchase Four Marked Ford Explorer Hybrid Police Enforcement Vehicles In An Amount Not To Exceed \$239,249.68 From Folsom Lake Ford. (Chief Jeff Jennings / Captain Oliver Collins / Sergeant Andrew Cassianos)
- Attachments:** [Staff Report](#)
[Draft Resolution](#)
[Exhibit A: Folsom Lake Ford Bid](#)
[Exhibit B: Lehr Bid](#)
[APPROVED Resolution No. 22-028](#)
- 10.6.** [ID-2022-128](#) Resolution Of The City Council Of The City Of Emeryville Approving The 2021 General Plan Annual Progress Report And Authorizing Submittal To The Governor's Office Of Planning And Research And To The California Department Of Housing And Community Development (CEQA Determination: Exempt Pursuant To State CEQA Guidelines Section 15378) (Charles S. Bryant / Navarre Oaks / Valerie F. Bernardo)
- Attachments:** [Staff Report](#)
[Sites Inventory Update 2021](#)
[Draft Resolution](#)
[2021 General Plan Annual Report](#)
[APPROVED Resolution No. 22-029](#)
- 10.7.** [ID-2022-132](#) Resolution Of The City Council Of The City Of Emeryville Appropriating Two Thousand Five Hundred Dollars (\$2,500) From The Measure BB Bicycle/Pedestrian Fund 264 For 2022 Bike To Wherever Day (BTWD) Sponsorship. (Mohamed Alaoui / Nancy Humphrey / Matt Anderson)
- Attachments:** [Staff Report](#)
[Draft Resolution](#)
[Exhibit A](#)
[Exhibit B](#)
[APPROVED Resolution No. 22-030](#)

11. PUBLIC HEARINGS

- 11.1. [ID-2022-129](#) Resolution Of The City Council Of The City Of Emeryville Granting A Waiver From The Noise Ordinance To JS Builders LLC For Saturday Work On March 19, March 26 And April 2, 2022 From 8:00 A.M. To 4:30 P.M. At 6701 Shellmound Street (Formerly Known As The “Nady Site” And Now Known As “Bayview Apartments”) And Designating Conditions Of Approval (APN: 49-1490-2) (CEQA Status: Exempt Pursuant To State CEQA Guidelines Section 15061(b)(3)). (Charles S. Bryant / Miroo Desai)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Applicant Request Letter](#)

12. ACTION ITEMS

- 12.1. [ID-2022-143](#) Letter of Support, Update, and Review of the Alameda CTC San Pablo Avenue Multimodal Improvement Project. (Mohamed Alaoui / Ryan O'Connell)

Attachments: [Staff Report](#)
[Exhibit A - Project Information and Map](#)
[ACTC Presentation - March 15 Council.pdf](#)
[Letter of Support for ACTC San Pablo Project to ACTC and Project Partners](#)
[2nd Letter of Support Direct to ACTC](#)

- 12.2. [ID-2022-113](#) Resolution Of The City Council Of The City Of Emeryville Requesting East Bay Community Energy Enroll All Residential, Commercial And Industrial Accounts In Renewable 100 (100% California-Based Wind And Solar) Service, With The Exception Of Those Participating In A) Medical Baseline, B) California Alternate Rates For Energy (CARE), C) Family Electric Rate Assistance (FERA), Or D) Direct Access Electric Service Programs Or E) Those Who Have Previously Opted To A Specific EBCE Service Level, And F) Those Who Have Opted Out Of EBCE Service; CEQA Determination: Exempt Pursuant To CEQA Guideline 15061(b)(3).

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A](#)
[Exhibit B 1](#)
[Exhibit B 2](#)
[Exhibit B 3](#)
[APPROVED Resolution No. 22-031](#)

- 12.3.** [ID-2022-130](#) First Reading Of An Ordinance Of The City Council Of The City Of Emeryville Adding Chapter 41 To Title 5 Of The Emeryville Municipal Code, "Right to Recall For Hotel And Card Room Employees" (CEQA Determination: Exempt Pursuant To CEQA Guideline 15061(b)(3) And 15378(a)). (Charles S. Bryant / Chadrick Smalley)

Attachments: [Staff Report](#)

[Draft Ordinance](#)

[Amended Draft Ordinance](#)

- 12.4.** [ID-2022-146](#) Resolution Of The City Council Of The City Of Emeryville Making Required Findings To Allow The Continuation Of Remotely Held Meetings Of The City Council Pursuant To AB 361. (Sheri Hartz)
(In Conjunction With MESA Agenda Item 7.1 And Successor Agency Agenda Item 7.1)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[APPROVED Resolution No. 22-032](#)

13. DEPARTMENT HEAD REPORTS

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

15. ADJOURNMENT

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

[ID-2022-142](#) **Please Note:** This list is for informational purposes only. All items shown here are **tentative** at this time and are not confirmed until the agendas for the meeting dates are published and posted, 11 days prior to the meeting. Other items may be added. Also note that this list shows working titles, which may be revised slightly before the item becomes final.

Additional Note during COVID-19 Public Health Emergency: City Council meeting have been held remotely since March 17, 2020, and remain so in accordance with the Brown Act exemptions provided for by AB 361. City Council and other public meetings will continue to be held remotely until further notice, and certain non-essential items may be postponed or cancelled. **Please continue to check the final, published agenda for the latest information.**

April 5, 2022 City Council Meeting

- Study Session: Marketplace Parcels A, B, and F (DA & PUD Amendment)
- Study Session: Adeline Sites
- EmeryStation Overland Discussion

April 19, 2022 City Council Meeting

- Public Hearing: Development Impact Fees Annual Increase
- Discussion of Whether to Allow COVID Temporary Parklets To Become Permanent
- Parks & Recreation Committee Annual Report

When published, the packets for City Council meetings can be viewed online at www.emeryville.org/citycouncil.

THE NEXT REGULAR MEETING WILL BE ON TUESDAY, APRIL 5, 2022, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608 OR VIA TELECONFERENCE IN ACCORDANCE WITH ASSEMBLY BILL 361.