



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 Courtney Welch
Vice Mayor David Mourra
Council Member John J. Bauters
Council Member Sukhdeep Kaur
Council Member Kalimah A. Priforce

--AMENDED--
Special Meeting

Tuesday, December 10, 2024

7:00 PM

Council Chambers

**This meeting is being conducted in-person at
1333 Park Avenue, Emeryville, California**

Please note the following change to the City's public comment procedures: Unless a Councilmember is participating in the meeting remotely pursuant to AB 2449, remote public comment will not be accepted. Public comment may be provided in-person or via email, as set forth below. Members of the public desiring to provide comments as a part of the meeting are encouraged to either submit written comments by 3:00 p.m. prior to the meeting or to attend the meeting in person.

Public comment for Council agenda items can be submitted online via our written comment card at www.emeryville.org/citycouncil. Written comments can also be submitted by email to city_council@emeryville.org or to the City Clerk at city_clerk@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.

The link below allows public viewing of the meeting (no public comment via Zoom):

Please click the link below to join the webinar:

https://emeryville-org.zoom.us/j/82825599633?pwd=SXHZOVowMRJgXKRz-Sc8FGvZZ6_zRg.hPci5-c9kT-44eIQ
Passcode: 608868

Telephone: 669-900-6833

Webinar ID: 828 2559 9633

Passcode: 608868

A complete copy of the agenda packet is available for viewing at the Information Center at City Hall, located at 1333 Park Avenue, Emeryville, California, and 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. Copies will also be available at the Information Counter at City Hall during normal business hours. 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, Management of Emeryville Services Authority, 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, Management of Emeryville Services Authority, and related agendas, in digital format 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 and/or text.

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.

No animals shall be allowed at or brought in to a public meeting by any person except (i) as to members of the public or City staff utilizing the assistance of a service animal, which is defined as a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability; or (ii) as to police officers utilizing the assistance of a dog(s) in law enforcement duties.

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 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.

Public Comment: Each speaker is limited to three minutes to present their comments to the City Council at each speaking opportunity. At the discretion of the Presiding Officer, time limits may be further adjusted.

The City Council welcomes comments, including criticism, about the policies, procedures, programs, or services of the City, or of the acts or omissions of the City Council. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a City Council, Successor Agency, Management of Emeryville Services Authority, or related meeting. The City is committed to maintaining a workplace free of unlawful harassment and is mindful that City staff regularly attend Council meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is per se disruptive to a meeting and will not be tolerated.

The AGENDA for this special meeting is as follows:

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF FINAL AGENDA**
4. **SPECIAL ORDERS OF THE DAY**
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-2024-454](#) Warrants. (Lilybell Nakamura)
Attachments: [Staff Report City](#)
[Wire Transfers City](#)
[Check Register City](#)
 - 10.2. [ID-2024-463](#) Action Minutes Of The November 19, 2024, City Of Emeryville Special Study Session Meeting. (April Richardson)
Attachments: [Action Minutes](#)
 - 10.3. [ID-2024-465](#) Action Minutes Of The November 19, 2024, Regular City Council Meeting. (April Richardson)
Attachments: [Action Minutes](#)
 - 10.4. [ID-2024-453](#) Resolution Of The City Council Of The City Of Emeryville Extending Current Terms Of Council Members On Council Committees And County, Regional, And Statewide Bodies To January 21, 2025, Moving New Appointments To The January 21, 2025, Regular City Council Meeting, And Waiving The City Council Rules of Procedure For Local Boards, Commissions, And Committees To Allow This Change. (April Richardson)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[APPROVED Resolution No. 24-143](#)

- 10.5. [ID-2024-448](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Retroactively Accept And Expend A Grant Award On Behalf Of The Police Department From The State Of California's Alcoholic Beverage Control (ABC), Via The Office Of Traffic Safety, In The Amount Of \$40,000 Related To Reducing Youth Access To Alcohol And Other Purposes. (Jeff Jennings / Fred Dauer)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - ABC Grant Agreement](#)
[APPROVED Resolution No. 24-144](#)

- 10.6. [ID-2024-460](#) Resolution Of The City Council Of The City Of Emeryville Approving The Annual Development Impact Fee Report For Fiscal Year 2023-2024. (Chadrick Smalley / Miroo Desai)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A to Resolution - FY23-24 Development Impact Fee Report](#)
[APPROVED Resolution No. 24-145](#)

- 10.7. [ID-2024-462](#) Action Minutes Of The December 3, 2024, Special City Council Meeting. (April Richardson)

Attachments: [Action Minutes](#)

- 10.8. [ID-2024-480](#) Resolution Of The City Council Of The City Of Emeryville Accepting The Annual Comprehensive Financial Report And Associated Compliance Audit Reports And Auditor Correspondence For The Fiscal Year Ended June 30, 2024. (Lilybell Nakamura / Brian Moura)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A – Annual Comprehensive Financial Report.pdf](#)
[Exhibit B – Child Development Center Compliance Audit.pdf](#)
[Exhibit C – Auditor's Communication Letter.pdf](#)
[Exhibit D – Auditor's Memorandum on Internal Control.pdf](#)
[Exhibit E – Auditor's Report on Appropriations Limit Calculation.pdf](#)
[APPROVED Resolution No. 24-146](#)

- 10.9.** [ID-2024-478](#) Resolution Of The City Council Of The City Of Emeryville Authorizing An Amendment To The Classification And Compensation Plan To Add A Retired Annuitant Classification With An Hourly Salary Range of \$19.36 - \$175.27 And Approving An Amendment To The City's Compensation Plan In Conformance With California Code of Regulations Title 2, Section 570.5. (Lilybell Nakamura / Qiana James)
- Attachments:** [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Retired Annuitant Job Description](#)
[APPROVED Resolution No. 24-147](#)
- 10.10.** [ID-2024-477](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute Emeryville Accessible Living Loan Agreements With Various Borrowers Seeking Accessibility Improvements To Their Respective Properties. (Chadrack Smalley / Valerie Bernardo)
- Attachments:** [Staff Report](#)
[Draft Resolution](#)
[APPROVED Resolution No. 24-148](#)
- 10.11.** [ID-2024-461](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The First Amendment Of Temporary Emergency Shelter License With Insight Housing For The Use Of Real Property Located At 4300 San Pablo Avenue Extending The License Term To June 1, 2025. (Chadrack Smalley / Charles Harris)
- Attachments:** [Staff Report](#)
[Attachment 1 - Original license](#)
[Attachment 2 - Request for Extension](#)
[Draft Resolution](#)
[Exhibit A to Resolution - Amendment of License Agreement](#)
[APPROVED Resolution No. 24-149](#)
- 10.12.** [ID-2024-468](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Mayor To Sign A Letter Of Commitment For The San Francisco Estuary Partnership's Senate Bill 1 Grant Application For The East Bay Crescent Community Engagement and Climate Adaptation Project. (Chadrack Smalley / Amber Evans)
- Attachments:** [Staff Report](#)
[Draft Resolution](#)
[Exhibit A to Resolution - Letter of Commitment](#)
[APPROVED Resolution No. 24-150](#)

- 10.13.** [ID-2024-474](#) Civic Center HVAC and BMS System Replacement: (Mohamed Alaoui / Ali Ahmadzadeh)

Attachments: [Staff Report](#)

[Attachment A - Emeryville Civic Center HVAC Concept Design Report](#)

- 10.13.1** [ID-2024-475](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Contract With Legacy Mechanical & Energy Services, Inc. In An Amount Of \$531,032.00 For Replacement Of The Existing HVAC System (AC Unit And Boiler System) In The Civic Center In The City Of Emeryville Project No.15650018 And Authorized The City Manager To Increase The Contract By \$100,000.00 For A Total Amount Not Exceed \$631,032.00. CEQA Determination: Exempt Under Section 15061(b)(3)

Attachments: [Draft Resolution](#)

[Exhibit A – Legacy Mechanical and Energy Services, Inc. Contract](#)

[APPROVED Resolution No. 24-151](#)

- 10.13.2** [ID-2024-476](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Contract With SYSERCO, Inc. In An Amount Of \$285,000.00 For Replacement Of The Existing BMS System (DELTA And BMS Upgrade / Replacement) And Plumbing Repairs In The Civic Center In The City Of Emeryville Project No.15650018 And Authorized The City Manager To Increase The Contract By \$40,000.00 For A Total Amount Not Exceed \$325,000.00. CEQA Determination: Exempt Under Section 15061(b)(3)

Attachments: [Draft Resolution](#)

[Exhibit A – Syserco, Inc. Contract](#)

[APPROVED Resolution No. 24-152](#)

11. PUBLIC HEARINGS

- 11.1.** [ID-2024-452](#) Resolution Of The City Council Of The City Of Emeryville Granting A Waiver From The Noise Ordinance For Sewer Rehabilitation Work On The Sanitary Sewer Interceptor Line Owned By East Bay Municipal Utility District For A Period Of Eight Weeks On Dates To Be Determined, To East Bay Municipal Utility District And Its Contractor. (Mohamed Alaoui / Nik Ignacio)

Attachments: [Staff Report](#)
[Attachment A - Noise Waiver Request Letter](#)
[Attachment B - Project Location Map](#)
[Attachment C - Construction Schedule](#)
[Draft Resolution](#)
[APPROVED Resolution No. 24-153](#)

12. ACTION ITEMS

13. DEPARTMENT HEAD REPORTS

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

15. ADJOURNMENT

THE NEXT REGULAR MEETING WILL BE ON TUESDAY, JANUARY 21, 2025, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, LOCATED AT 1333 PARK AVENUE, EMERYVILLE, CA 94608.

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

[ID-2024-473](#) **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.

Please continue to check the final, published agenda for the latest information.

January 21, 2025

- Study Session - Little Libraries
- Successor Agency: 2025-26 ROPS
- Affordable Housing Annual Report (Measure C & AHP)

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