



Emeryville City Hall  
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## CITY OF EMERYVILLE

### ACTION MINUTES

#### City Council

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

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Tuesday, December 10, 2024

7:00 PM

Council Chambers

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#### 1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

#### 2. ROLL CALL

**Present:** 5 - Mayor Courtney Welch  
Vice Mayor David Mourra  
Council Member John J. Bauters  
Council Member Sukhdeep Kaur  
Council Member Kalimah A. Priforce

#### 3. APPROVAL OF FINAL AGENDA

**A motion was made by Council Member Bauters, seconded by Vice Mayor Mourra, to approve the final agenda. The motion carried by the following vote:**

**Ayes:** 5 - Mayor Welch, Vice Mayor Mourra, Council Member Bauters, Council Member Kaur, and Council Member Priforce

#### 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

No ex parte communications were reported.

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

6 speakers.

## 10. CONSENT ITEMS

**A motion was made by Council Member Bauters, seconded by Vice Mayor Mourra, to approved the Consent Agenda excluding item 10.6 which was pulled for further discussion. The motion carried by the following vote:**

**Ayes:** 5 - Mayor Welch, Vice Mayor Mourra, Council Member Bauters, Council Member Kaur, and Council Member Priforce

**10.1. [ID-2024-454](#)** Warrants. (Lilybell Nakamura)

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

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

**10.2. [ID-2024-463](#)** Action Minutes Of The November 19, 2024, City Of Emeryville Special Study Session Meeting. (April Richardson)

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

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

**10.3. [ID-2024-465](#)** Action Minutes Of The November 19, 2024, Regular City Council Meeting. (April Richardson)

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

**A motion was made to approve the 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](#)

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

Enactment No: Reso 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](#)

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

Enactment No: Reso 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. (Chadrack Smalley / Miroo Desai)

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

Planning Manager Miroo Desai answered Council Member questions.

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

**Ayes:** 5 - Mayor Welch, Vice Mayor Mourra, Council Member Bauters, Council Member Kaur, and Council Member Priforce

Enactment No: Reso No. 24-145

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

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

**A motion was made to approve the 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)

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**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](#)

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

Enactment No: Reso 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](#)

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

Enactment No: Reso 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. (Chadrick Smalley / Valerie Bernardo)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[APPROVED Resolution No. 24-148](#)

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

Enactment No: Reso 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. (Chadrick 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](#)**A motion was made to approve this Resolution.**

Enactment No: Reso 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. (Chadrick Smalley / Amber Evans)

**Attachments:** [Staff Report](#)[Draft Resolution](#)[Exhibit A to Resolution - Letter of Commitment](#)[APPROVED Resolution No. 24-150](#)**A motion was made to approve this Resolution.**

Enactment No: Reso 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.** [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)
- 1.**

**Attachments:** [Draft Resolution](#)[Exhibit A – Legacy Mechanical and Energy Services, Inc. Contract](#)[APPROVED Resolution No. 24-151](#)**A motion was made to approve this Resolution.**

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Enactment No: Reso No. 24-151

**10.13. [ID-2024-476](#)**  
**2.**

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](#)

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

Enactment No: Reso 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](#)

PUBLIC HEARING OPENED: 7:23 p.m.

1 speaker.

PUBLIC HEARING CLOSED: 7:25 p.m.

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

**Ayes:** 5 - Mayor Welch, Vice Mayor Mourra, Council Member Bauters, Council Member Kaur, and Council Member Priforce

Enactment No: Reso No. 24-153

**12. ACTION ITEMS**

**13. DEPARTMENT HEAD REPORTS**

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

**15. ADJOURNMENT**

The meeting adjourned at 7:26 p.m.

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

**/s/ April Richardson, CMC**  
**City Clerk**