



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 Courtney Welch
Council Member Sukhdeep Kaur
Council Member David Mourra
Council Member Kalimah A. Priforce

--AMENDED--

Tuesday, September 5, 2023

7:16 PM

Council Chambers / Teleconference

**This meeting is being conducted in a hybrid (in-person / Zoom) format at
1333 Park Avenue, Emeryville, California**

To join the meeting via Zoom, use the information provided below.

The City offers many ways for you to watch and participate in City matters. Public comment for Council agenda items can be submitted online via our online speaker card at www.emeryville.org/citycouncil when an agenda is posted. 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.

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/86163912709?pwd=TjE2WlI2aG9FMdIvRVlUeFN6RVlzMUT09>

Passcode: 825981

*Or iPhone one-tap: +16699006833,,86163912709#,,, *825981#*

Or Telephone: 669-900-6833

Webinar ID: 861 6391 2709

Passcode: 825981

International Phone Numbers: <https://emeryville-org.zoom.us/u/kqL5oV152>

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.

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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.

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.

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 510-450-7800, 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 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**
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-2023-348](#) Warrants. (Lawrence Chiu)

Attachments: [Staff Report City](#)
[Wire Transfers City](#)
[Check Register City](#)
 - 10.2. [ID-2023-312](#) Action Minutes Of The July 18, 2023, Special City Council Closed Session. (April Richardson)
Attachments: [Action Minutes](#)
 - 10.3. [ID-2023-313](#) Action Minutes Of The July 18, 2023, Special City Council Study Session. (April Richardson)
Attachments: [Action Minutes](#)
 - 10.4. [ID-2023-316](#) Action Minutes Of The July 18, 2023, City Of Emeryville Regular City Council Meeting. (April Richardson)
Attachments: [Action Minutes](#)
 - 10.5. [ID-2023-332](#) Resolution Of The City Council Of The City Of Emeryville Amending The Meeting Location Of The Commission On Aging; And Amending The FY2023-24 Local Roster Of Boards, Commissions And Committees Accordingly. (April Richardson / Lorraine Leong)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Commission on Aging Roster](#)
[APPROVED Resolution No. 23-109](#)

- 10.6.** [ID-2023-327](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Lease Agreement With Shamrock Office Solutions For The Lease Of Twenty-Two Multi-Function Printing Devices, Including All Service And Support For Sixty Months In The Amount Of Three Thousand Seven Hundred Sixty-Five Dollars (\$3,765.00) Per Month Or Two Hundred Twenty-Five Thousand Nine Hundred Dollars (\$225,900.00) Over The Course Of The Lease; And To Sign All Relevant And Necessary Documents Pertaining To The Execution Of The Lease. (Michael Parenti)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Lease Agreement](#)
[APPROVED Resolution No. 23-110](#)

- 10.7.** [ID-2023-338](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Agreement With Patatas, LLC In An Amount Not To Exceed \$126,500 For Fiscal Year 2023-24 To Provide Food Service At The Emeryville Child Development Center And Increase 5200-73600 Food Supplies By \$46,500 For A Total Budget Of \$146,500 And Transfer \$46,500 From Measure F Fund 267-99650 To Fund 230-69994. (Rebecca Sermeno / Kim Burrowes)

Attachments: [Staff Report](#)
[Second RFP-Vended Food Program](#)
[Patatas LLC Proposal for Vended Meals](#)
[Draft Resolution](#)
[Professional Services Contract Patatas LLC](#)
[APPROVED Resolution No. 23-111](#)

- 10.8.** [ID-2023-339](#) Resolution Of The City Council Of The City Of Emeryville Authorizing Application For, And Receipt Of, Up To \$136,000 In Grant Funds From Alameda County Area Agency On Aging Supportive Services Program For Senior Center Activities And Authorizing The City Manager To Execute Funding Agreements Through June 30, 2026 With The Alameda County Area Agency On Aging And To Appropriate The Funds To Account Number 5460-51100. (Rebecca Sermeno / Kim Burrowes)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[FY23-26 SCA Agreement - Emeryville](#)
[APPROVED Resolution No. 23-112](#)

- 10.9.** [ID-2023-321](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Execution Of The Second Amendment Of The Professional Services Contract With David Paul Rosen And Associates To Provide Developer Selection, Negotiation And Closing Assistance Services Associated With The Christie Sites, Increasing The Contract Amount By \$50,000 To An As-Amended Total Amount Not To Exceed \$200,000 And Extending The Contract Term Ending To March 31, 2024. (Chadrack Smalley / Valerie Bernardo)

Attachments: [Staff Report](#)
[DRA Professional Services Contract](#)
[DRA PSC 1st Amendment](#)
[Draft Resolution](#)
[Exhibit A - DRA Second Contract Amendment](#)
[APPROVED Resolution No. 23-113](#)

- 10.10.** [ID-2023-323](#) Resolution Of The City Council Of The City Of Emeryville Rescinding Resolution No. 23-94 And Authorizing The City Manager To Accept In-Lieu Funds From BRE-BMR 53rd LP To Contribute Towards Emergency Operations Center Upgrade/Hollis Street Fire Station, In An Amount Of \$1,497,500, And Appropriate Said Sum To Developer Contribution Fund 473, Account 63070, Project Number 16475004 When Received. (Chadrack Smalley / Miroo Desai)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[APPROVED Resolution No. 23-114](#)

- 10.11.** [ID-2023-330](#) Resolution Of The City Council Of The City Of Emeryville Accepting The MacArthur Boulevard Full Trash Capture Project, (CIP Project No. 18475009), As Complete And Authorizing The City Engineer To File A Notice Of Completion With The Alameda County Clerk. (Mohamed Alaoui / Nancy Humphrey)

Attachments: [Staff Report](#)
[Exhibit A - Construction Contract](#)
[Draft Resolution](#)
[APPROVED Resolution No. 23-115](#)

- 10.12.** [ID-2023-328](#) Resolution Of The City Council Of The City of Emeryville Accepting The Annual Street Rehabilitation And Preventive Maintenance Project Fiscal Year 2021/2022, Project No. EPW-21102 (CIP No. 17240005), As Complete; Authorizing The City Engineer To File A Notice Of Completion With The Alameda County Clerk; And Appropriating All Remaining CIP No. 17240005, 17250016, and 15475023 Project Balances Into CIP No. SUT-01. (Mohamed Alaoui / Ryan O'Connell)
- Attachments:** [Staff Report](#)
[Draft Resolution](#)
- 10.13.** [ID-2023-329](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Purchase One Pump And One Woodchipper Through A Sourcewell Awarded Contract, A Cooperative Purchasing Agreement, For A Total Amount Not To Exceed \$141,387 For Emergency Response To Severe Climate-Related Events And Ongoing And Regular Needs. (Mohamed Alaoui / Daniel Gonzales)
- Attachments:** [Staff Report](#)
[Attachment A – Pump Contract and Quote](#)
[Attachment B – Woodchipper Contract and Quote](#)
[Draft Resolution](#)
[APPROVED Resolution No. 23-116](#)
- 10.14.** [ID-2023-317](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A First Amendment To The Maintenance Services Agreement With Precision Concrete Inc. To Increase The Total Compensation By \$208,000 For A Total Amount Not To Exceed \$253,000 For On-Call Sidewalk Survey And Repairs As Part Of The Sustainable Streetscapes Project (SUT-01) And To Extend The Contract Term To December 31, 2026. (Mohamed Alaoui / Nik Ignacio)
- Attachments:** [Staff Report](#)
[Attachment A - Maintenance Services Contract](#)
[Draft Resolution](#)
[Exhibit A - Maintenance Services Contract First Amendment](#)
[APPROVED Resolution No. 23-117](#)
- 10.15.** [ID-2023-350](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Sixth Amendment To The Professional Services Agreement With Coastland Civil Engineering, Inc. For City Engineering & Inspection Services, Capital Projects Delivery Support, And Construction Management Services To Extend The Termination Date To June 30, 2024, With No Increase In Contract Amount. (Mohamed Alaoui)

Attachments: [Staff Report](#)
[Attachment A-1 Initial Professional Services Contract](#)
[Attachment A-2 Professional Services Contract - 1st Amendment](#)
[Attachment A-3 Professional Services Contract - 2nd Amendment](#)
[Attachment A-4 Professional Services Contract - 3rd Amendment](#)
[Attachment A-5 Professional Services Contract - 4th Amendment](#)
[Attachment A-6 Professional Services Contract - 5th Amendment](#)
[Draft Resolution](#)
[Exhibit A - Professional Services Contract – 6th Amendment](#)
[APPROVED Resolution No. 23-118](#)

- 10.16.** [ID-2023-326](#) Second Reading And Adoption Of An Ordinance Of The City Council Of The City Of Emeryville Amending Chapter 9 Of Title 4 Of The Emeryville Municipal Code, “Vehicular Traffic And Parking” (CEQA Determination: Exempt Pursuant To CEQA Guidelines Sections 15378 And 15061(B)(3)). (Mohamed Alaoui / Josie Ahrens)

Attachments: [Staff Report](#)
[Draft Ordinance](#)
[Exhibit A - Curb Color Request Form](#)
[Exhibit B - Curb Color Process](#)
[APPROVED Ordinance No. 23-002](#)

- 10.17.** [ID-2023-353](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Apply For State Of California Community Resilience Center Grant Funds. (Paul Buddenhagen)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[APPROVED Resolution No. 23-119](#)

11. PUBLIC HEARINGS

12. ACTION ITEMS

- 12.1.** [ID-2023-318](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Annual Statement Of Investment Policy And Delegation Of Authority To The Finance Director/Treasurer. (Lawrence Chiu / Monica Centeno)

Attachments: [Staff Report](#)
[Draft Statement of Investment Policy \(Redline\)](#)
[Draft Resolution](#)
[Exhibit A - Statement of Investment Policy \(Clean\)](#)
[APPROVED Resolution No. 23-120](#)

- 12.2.** [ID-2023-319](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A First Amendment To The Professional Services Contract With Chandler Asset Management Increasing The Current Limits Set On The Amount Of Assets To Be Managed By \$150 Million From \$50 Million To \$200 Million, Extending The Contract To June 30, 2027, And Increasing The Total Contract By \$220,000 From \$260,000 To \$480,000 For Investment Advisory And Management Services. (Lawrence Chiu)

Attachments: [Staff Report](#)
 [Professional Services Contract with Chandler](#)
 [Draft Resolution](#)
 [First Amendment to Professional Service Contract with Chandler](#)
 [APPROVED Resolution No. 23-121](#)

- 12.3.** [ID-2023-320](#) Resolution Of The City Council Of The City of Emeryville Establishing Fiscal Year 2024 Property Tax Levy Rate For The City's General Obligation Bond Indebtedness (Measure C Affordable Housing Bond). (Lawrence Chiu)

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Exhibit A - Tax Rate Calculation based on FY 2024 Assessed Value](#)
 [APPROVED Resolution No. 23-122](#)

- 12.4.** [ID-2023-351](#) Council Consideration To Form An Ad Hoc Committee Of The City Council To Select A Park Name For the New City Park. (Pedro Jimenez)

Attachments: [Staff Report](#)
 [CP 001 - Naming Dedication of City Facilities](#)

13. DEPARTMENT HEAD REPORTS

13.1. [ID-2023-251](#) Planning Director's report on Planning Commission actions at the August 24, 2023 meeting:

- (a) Four-Unit Replacement, 1271 64th Street. Consideration of a recommendation to the City Council concerning a request to modify the conditions of approval of a Conditional Use Permit and Design Review proposal to construct four new units and demolish four existing units at a site that was previously approved to add additional floor area to an existing four-unit residential building at 1271 64th Street. This project was approved by the City Council on December 21, 2021 with a condition that the Applicant pay five times building permit fees as a penalty for work without permits. This request is to reduce or waive the penalty fee.*
- (b) EmeryStation Research Campus Master Sign Program. Consideration of a Major Sign Permit for the EmeryStation Research Campus Master Sign Program, which is located approximately between 63rd Street to the north; Hollis Street and the Emeryville Greenway to the east; Powell Street to the south; and the Union Pacific railroad tracks to the west. The Master Sign Program would establish standards for a mix of site and tenant signage including monument, wall, and high-rise identification signs.**

- [ID-2023-355](#) (c) Bay Center Life Science Project. Consideration of a Conditional Use Permit and Design Review permit to construct a new six story, 96-foot-tall building accommodating 210,000 square feet of Research and Development space and a new 505-space parking garage at 6475 Christie Avenue. The project includes removal of one street tree on 65th Street; and removal of parking lanes along the north side of 64th Street and along the south side of 65th Street to accommodate construction of new wider sidewalks.**

* This item is scheduled for a public hearing by the City Council on October 3, 2023.

** Items subject to "call for review" (i.e. appeal) by motion of the City Council pursuant to Section 9-7.1406 of the Planning Regulations.

The packet for the August 24, 2023 Planning Commission meeting can be viewed online at <https://www.ci.emeryville.ca.us/ArchiveCenter/ViewFile/Item/5457>.

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS**15. ADJOURNMENT**

THE NEXT REGULAR MEETING WILL BE ON TUESDAY, SEPTEMBER 19, 2023, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608, AND VIA TELECONFERENCE.

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

[ID-2023-340](#) **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.

October 3, 2023

- Study Session: Multifamily Accessibility Ordinance
- ACFD Annual Report Presentation

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