



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--

Tuesday, July 16, 2024

7:16 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/87048882928?pwd=Nw9Uv59mi9j8d2VqIPNuYEGYyOGmBA.0rR3-pSErNjxhnMw>
Passcode: 906271

Telephone: 669-900-6833

Webinar ID: 870 4888 2928

Passcode: 906271

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 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-2024-293](#) Proclamation Of The City Council Of The City Of Emeryville Honoring Rena Rickles For Her Service To The City As The First Female Council Member
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-2024-280](#) Warrants. (Lawrence Chiu)

Attachments: [Staff Report City](#)
[Wire Transfers City](#)
[Check Register City](#)
 - 10.2. [ID-2024-287](#) Action Minutes Of The July 2, 2024, Special City Council / Management of Emeryville Services Authority Closed Session Meeting. (April Richardson / Lorrayne Leong)

Attachments: [Action Minutes](#)
 - 10.3. [ID-2024-289](#) Action Minutes Of The July 2, 2024, Regular City Council Meeting. (April Richardson / Lorrayne Leong)

Attachments: [Action Minutes](#)

- 10.4.** [ID-2024-283](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Second Amendment To The Professional Services Contract With Patatas, LLC, To Provide Daily Meal Service For FY24/25 For The Children At The Emeryville Child Development Center By Increasing The Contract Amount By \$170,000 For A Total Not To Exceed Contract Amount Of \$302,000 And Increase 5200-73600 Food Supplies By \$88,000 With An Appropriate Amount To Be Transferred From Measure F Fund 267-99650 To Fund 230-69994. (Rebecca Sermeneno)
- Attachments:** [Staff Report](#)
 [Patatas, LLC Professional Services Contract](#)
 [Patatas, LLC Professional Services Contract - 1st Amendment](#)
 [Draft Resolution](#)
 [Patatas, LLC Professional Services Contract - 2nd Amendment](#)
 [Exhibit A - Scope of Work - Patatas LLC - Amended](#)
 [ECDC Quotation](#)
- 10.5.** [ID-2024-282](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The Third Amendment To The '8 To Go' Paratransit Shuttle Service Agreement With The Emeryville Transportation Management Association In The Amount Of \$159,984 And Appropriate Amounts To Be Charged To Fund 254 (\$50,000); Fund 263 (\$109,984); And Transfer From General Fund To Fund 263 (\$37,246). (Rebecca Sermeneno / Kim Burrowes)
- Attachments:** [Staff Report](#)
 [Professional Services Contract](#)
 [Professional Services Contract - 1st Amendment](#)
 [Professional Services Contract - 2nd Amendment](#)
 [Draft Resolution](#)
 [Professional Services Contract - 3rd Amendment](#)
 [8 to Go Cost Estimate FY2024-2025](#)
- 10.6.** [ID-2024-285](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Contract With Fresh Start Painting Co. In An Amount Of \$172,308.00 For The Civic Center Exterior Painting Project No. 16650015 And Authorizing The City Manager To Increase The Contract By \$35,000 For A Total Not To Exceed Amount Of \$207,308. CEQA Determination: Exempt Under Section 15061(b)(3). (Mohamed Aloui / Ali Ahmadzadeh)

Attachments: [Staff Report](#)
[Attachment A City Hall Painting Project](#)
[Draft Resolution](#)
[Exhibit A to Resolution - Construction Contract Fresh Start](#)
[Exhibit A1 Specifications Addenda](#)
[Exhibit A2 Part 1 Specifications](#)
[Exhibit A2 Part 2 Specifications](#)
[Exhibit A2 Part 3 Specifications](#)
[Exhibit A4 Plans](#)
[Exhibit A5 Contractors Bid and Proposal](#)
[Exhibit B Insurance Requirements](#)
[Exhibit C City Supplemental Terms and Conditions](#)
[Exhibit D Required Bonds](#)

11. PUBLIC HEARINGS

- 11.1. [ID-2024-276](#) Introduction And First Reading Of An Ordinance Of The City Council Of The City Of Emeryville Amending Article 14 Of Chapter 5 Of Title 9 (Planning Regulations) Regarding Accessory Dwelling Units And Junior Accessory Dwelling Units (CEQA Status: Exempt Pursuant To Public Resources Code Section 21080.17, Which Provides That CEQA Does Not Apply To The Adoption Of An Ordinance To Implement The Provisions Of Article 2 [Commencing With Section 66314] Of Chapter 13 Of Division 1 Of Title 7 Of The California Government Code Pertaining To Accessory Dwelling Units). (Chadrick Smalley / Miroo Desai / Alyssa Chung)

Attachments: [Staff Report](#)
[Attachment 1 - HCD Letter](#)
[Attachment 2 - City Response Letter](#)
[Draft Ordinance](#)

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, SEPTEMBER 3, 2024, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, LOCATED AT 1333 PARK AVENUE, EMERYVILLE, CA 94608.

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

[ID-2024-277](#) **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.

September 3, 2024

- 2024 Conflict of Interest Code Amendment
- 1245 Powell St. Fund Appropriation/Approval of acquisition

September 9, 2024 - Special Meeting

- Study Session - Decriminalization Ordinance: Group III Amendments

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