



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](http://www.emeryville.org)

Members:

Mayor Dianne Martinez  
Vice Mayor Scott Donahue  
Council Member John J. Bauters  
Council Member Ally Medina  
Council Member (Vacant)

--AMENDED--

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**Tuesday, July 20, 2021**

**7:16 PM**

**Teleconference**

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A complete copy of the agenda packet is available on the city's website at <http://emeryville.org/88/video/agendas-reports-minutes-archive>. 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 <http://www.emeryville.org>.

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 <http://www.emeryville.org> and clicking on "Notify Me". 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 SHELTER IN PLACE ORDER  
(to continue until further notice):**

Pursuant to California Governor Gavin Newsom's Executive Order N 29 20, 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 add link 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 add link. Written comments can also be submitted by email to [city\\_council@emeryville.org](mailto:city_council@emeryville.org) or the City Clerk, Sheri Hartz, at [shartz@emeryville.org](mailto: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/99710431404>  
Passcode: 202727

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Or iPhone one-tap: +16699006833,,99710431404#,,, \*202727#

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Or Telephone: 1 669 900 6833  
Webinar ID:997 1043 1404  
Passcode: 202727

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International Phone Numbers: <https://emeryville-org.zoom.us/j/99710431404>

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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.

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
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-2021-349](#) Warrants. (Brad Farmer)  
**Attachments:** [Staff Report](#)  
[Wire Transfers](#)  
[Check Register](#)
  - 10.2. [ID-2021-360](#) Action Minutes of July 6, 2021 Special Closed Session (City Council / Management of Emeryville Services Authority). (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
  - 10.3. [ID-2021-361](#) Action Minutes of July 6, 2021 Emeryville City Council Special Study Session. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
  - 10.4. [ID-2021-362](#) Action Minutes of July 6, 2021 Emeryville City Council Regular Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)

- 10.5.** [ID-2021-352](#) Resolution Of The City Council Of The City Of Emeryville Amending The 2021 City Council Regular Meeting Calendar. (Sheri Hartz / Lorryne Leong)  
**(In Conjunction with Successor Agency Agenda Item 6.3)**  
**Attachments:** [Staff Report](#)  
[Draft Resolution \(City Council\)](#)  
[Proposed Amended 2021 Meeting Calendar](#)  
[APPROVED Resolution No. 21-82](#)
- 10.6.** [ID-2021-347](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A One-Year Professional Services Contract With Second Sight Video & Multimedia For Fiscal Year 2021-2022 To Provide Broadcasting, Recording And Related Services For A Total Amount Of \$48,000.00. (Sheri Hartz / Lorryne Leong)  
**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Exhibit A - Professional Services Contract](#)  
[APPROVED Resolution No. 21-83](#)
- 10.7.** [ID-2021-341](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute All Documents Necessary To Effectuate The Sale Of A Below Market Rate Unit Located At 1500 Park Avenue #322 For \$338,200; Amending The Fiscal Year 2021-2022 Operating Budget To Increase Revenues To, And Expenditures From, The Affordable Housing Fund (Fund No. 299) By The Net Proceeds Collected Upon The Close Of The Sale Of The Property; And Appropriating The Net Proceeds Collected To The Fiscal Year 2021-2022 Capital Improvement Program Budget For The Below Market Rate Acquisition Program (CIP Project # H-06). (Charles S. Bryant / Chadrick Smalley / Valerie Bernardo)  
**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Exhibit A - Resale Restriction Agreement](#)  
[APPROVED Resolution No. 21-84](#)

- 10.8.** [ID-2021-340](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Grant Recipient Contract With Emeryville Citizens Assistance Program In The Amount Of \$73,957 To Support Food And Clothing Distribution To Persons Experiencing Homelessness And Those Near-Homelessness For Fiscal Year 2021-2022 And To Execute Minor Amendments. (Charles S. Bryant / Chadrick Smalley / Emi Thériault)

**Attachments:** [Staff Report](#)

[Attachment 1 - ECAP Annual Report FY20-21](#)

[Attachment 2 - ECAP Grant Application FY 21-22](#)

[Draft Resolution](#)

[Exhibit A - Grant Recipient Contract](#)

[APPROVED Resolution No. 21-85](#)

- 10.9.** [ID-2021-351](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Three Year Professional Services Contract With Wood Rodgers, Inc. For On-Call Civil/Environmental Engineering Consultant Services And Authorizing The City Manager To Execute Up To Two (2) Additional One Year Extensions For A Total Contract Amount Not To Exceed \$657,958. (Christine Daniel / Keely Nelson)

**Attachments:** [Staff Report](#)

[Wood Rodgers Statement of Qualifications](#)

[Draft Resolution](#)

[Exhibit A - Professional Services Contract](#)

[APPROVED Resolution No. 21-86](#)

- 10.10.** [ID-2021-354](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Engineer To Advertise For Public Bids The Davenport Mini Park Rehabilitation, (CIP No. 16475017) And Transfer \$70,399 From The Marina Park Improvement Funds, CIP No. 16495005, To The Davenport Mini Park Rehabilitation, CIP No. 16475017; CEQA Determination: Exempt Pursuant to CEQA Guideline 15301(c) (Pedro Jimenez)

**Attachments:** [Staff Report](#)

[Davenport Park Site Plan](#)

[Draft Resolution](#)

[APPROVED Resolution No. 21-87](#)

- 10.11. [ID-2021-339](#) Second Reading of An Ordinance Of The City Council Of The City Of Emeryville Amending Article 2 Of Chapter 3 Of The Planning Regulations At Title 9 Of The Emeryville Municipal Code To Prohibit Crematories In All Zoning Districts (CEQA Status: Not A “Project” Under Public Resources Code Section 21065, And Common Sense Exemption At CEQA Guidelines Section 15061(b)(3)). (Charles S. Bryant)

**Attachments:** [Staff Report](#)

[Attachment 1 - Staff Report From July 6, 2021](#)

[Proposed Ordinance](#)

[APPROVED Ordinance No. 21-005](#)

## 11. PUBLIC HEARINGS

- 11.1. [ID-2021-365](#) Ordinance Of The City Council Of The City Of Emeryville Amending Chapter 10 (“Energy Code”) of Title 8 (“Building Regulations”) Of The Emeryville Municipal Code To Amend The 2019 California Energy Code Of The 2019 Edition Of The California Building Standards Code (California Code Of Regulations, Title 24, Part 6); CEQA Determination: Exempt Pursuant to CEQA Guideline 15061(b)(3). (Christine Daniel / Nancy Humphrey)

**Attachments:** [Staff Report](#)

[Proposed Ordinance](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

**12. ACTION ITEMS**

- 12.1.** [ID-2021-355](#) Consideration Of Dissolving Current Roster Of City Council Ad Hoc Committees. (Sheri Hartz / Lorraine Leong)  
**Attachments:** [Staff Report](#)
- 12.2.** [ID-2021-367](#) Designation Of Voting Delegate And Alternate(s) To The League Of California Cities Annual Conference. (Sheri Hartz)  
**Attachments:** [Staff Report](#)  
[2021 Annual Conference Voting Procedures](#)  
[2021 Voting Delegate/Alternate Form](#)
- 12.3.** [ID-2021-346](#) Resolution Of The City Council Of The City Of Emeryville Approving The Conceptual Design And Directing Lennar Multifamily Communities To Proceed With Final Design And Installation Of Bicycle Boulevard Level 4 And 5 Traffic Calming Measures. (Christine Daniel / Michael Roberts)  
**Attachments:** [Staff Report](#)  
[Exhibit A - Level 4 Treatment Measures](#)  
[Exhibit B - 40th Concept Plan](#)  
[Exhibit C - 40th/Horton Street Turn Pocket Extension](#)  
[Exhibit D - 53rd Concept Plan](#)  
[Exhibit E - Excerpt from Table 1 from the Fehr & Peers Dec 12, 2014 Memorandum RE: Sherwin-Williams – Horton Street Turn Restriction Assessment](#)  
[Exhibit F - 40th/Horton Traffic Analysis](#)  
[Draft Resolution](#)  
[APPROVED Resolution No. 21-88](#)

**13. DEPARTMENT HEAD REPORTS****14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS****15. ADJOURNMENT**

**LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS**

[ID-2021-370](#) **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 Hall has been closed since March 17, 2020, in accordance with the Governor's Executive Order. During this time, City Council and other public meetings have been conducted using teleconferencing. 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.**

Upcoming Meetings

The City Council traditionally holds no Regular City Council meetings during the month of August, and the previously-scheduled August 31st meeting has been tentatively cancelled, pending Council action on Item 10.5, above.

For the month of September, the Council is tentatively scheduled to meet on Monday, September 13th at 5:30 p.m. The previously-scheduled September 21st meeting has also been tentatively cancelled, pending the same Council action noted above.

When published, the packets for City Council meetings can be viewed online at

[www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive](http://www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive).

THE NEXT REGULAR MEETING IS TENTATIVELY SCHEDULED FOR MONDAY, SEPTEMBER 13, 2021, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608 OR VIA TELECONFERENCE IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER.