



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: July 2, 2024

TO: Paul Buddenhagen, City Manager

FROM: Mohamed Alaoui, Public Works Director

SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Accept An In-Lieu Reimbursement From BMR-Center Of Innovation Holdco LP For Grinding And Paving Hollis Street Between Powell Street And 45th Street For The Not To Exceed Amount Of \$550,000 As Fulfillment Of That Portion Of Exhibit O – Mitigation Measures And Conditions Of Approvals For The BMR-Emery Yards Project (FDP 19-002) With Funds To Be Appropriated To Fund 473 Project Number 24221005**

RECOMMENDATION

Staff recommends that the City Council adopt the above resolution.

BACKGROUND

On February 25, 2021, the Planning Commission for the City adopted Resolution No. FDP 19-002, BMR Emeryville Center for Innovation Final Development Permit subject to certain Conditions of Approval (“FDP”). The FDP approved the demolition of two existing buildings and surface parking and construction of four new multi-tenant research and development buildings and supporting parking garage as part of implementation of the Planned Unit Development (PUD). These project approvals may be amended from time to time.

A product of these approvals, Exhibit O – Mitigation Measures and Conditions of Approval of the project Construction Management Plan describes that, as a mitigation for wear and tear of construction traffic on Hollis Street between Powell Street and 45th Street, the applicant will repave the street with two inches of asphalt concrete.

DISCUSSION

On June 4, 2024, the City Council approved the award of 2024 Sustainable Streets (ST-01, EPW 23-08) paving project to Bay Cities Paving and Grading Inc. Included in the project scope is the construction of bus bulbs and lane reconfiguration of Hollis Street that falls within the paving restoration limits of the BMR project.

To best coordinate both scopes of work so that quality of work can be maximized and disruption to the public can be minimized, staff recommend that the work be incorporated into the City’s Sustainable Streetscapes project instead of having two separate contractors performing work. The cost of the work which is BMR’s responsibility is estimated to not exceed \$550,000 which would be accepted by the City as an in-lieu reimbursement for its completion.

The Public Works Department and BMR-Center of Innovation Holdco LP find it mutually agreeable for BMR-Center of Innovation Holdco LP, upon completion of the work, to make an in-lieu payment, for a not to exceed amount of \$550,000, for the re-paving of Hollis Street associated with BMR Emeryville Center for Innovation Final Development Plan FDP 19-002 as fulfillment of the Hollis Street paving described in Exhibit O – Mitigation Measures and Conditions of Approval. This payment will be allocated to the 2024 Sustainable Streetscapes Paving Project, Project No. EPW-23008 (CIP No. 24221005).

FISCAL IMPACT

As proposed, this is a cost neutral reimbursement for work performed by the City.

STAFF COMMUNICATION WITH THE PUBLIC

None

CONFLICT OF INTEREST

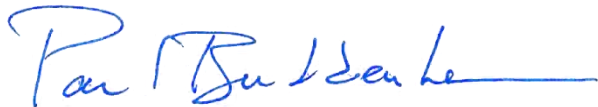
None

CONCLUSION

Staff recommends that the City Council adopt the above-titled resolution.

PREPARED BY: Michael Roberts, Senior Civil Engineer

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Paul Buddenhagen, City Manager

ATTACHMENTS

- Draft Resolution