



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 Courtney Welch  
Vice Mayor David Mourra  
Council Member John J. Bauters  
Council Member Sukhdeep Kaur  
Council Member Kalimah A. Priforce

--AMENDED--

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Tuesday, May 21, 2024

7:16 PM

Council Chambers

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**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](http://www.emeryville.org/citycouncil). Written comments can also be submitted by email to [city\\_council@emeryville.org](mailto:city_council@emeryville.org) or to the City Clerk at [city\\_clerk@emeryville.org](mailto: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/84670471391?pwd=LoRiDE7K34bitPi\\_7EpQjwjubbgEjQ.hEujeC9NGtUWY22v](https://emeryville-org.zoom.us/j/84670471391?pwd=LoRiDE7K34bitPi_7EpQjwjubbgEjQ.hEujeC9NGtUWY22v)  
Passcode: 999598

*Telephone: 669-900-6833*

*Webinar ID: 846 7047 1391*

*Passcode: 999598*

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](http://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](http://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](http://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-2024-069](#) Presentation: BART Safe And Clean Plan
  - 4.2. [ID-2024-213](#) Proclamation Of The City Council Of The City Of Emeryville Proclaiming May 2024, As Asian American And Pacific Islander Heritage Month. (Mayor Welch)
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-2024-182](#) Warrants. (Lawrence Chiu)  
**Attachments:** [Staff Report City](#)  
[Wire Transfers City](#)  
[Check Register City](#)
  - 10.2. [ID-2024-185](#) Action Minutes Of The May 7, 2024, Special City Council Closed Session. (April Richardson)  
**Attachments:** [Action Minutes](#)
  - 10.3. [ID-2024-186](#) Action Minutes Of The May 7, 2024, Regular City Council Meeting. (April Richardson)  
**Attachments:** [Action Minutes](#)

- 10.4.** [ID-2024-179](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The Third Amendment To The Professional Services Contract With Urban Planning Partners For Preparation Of A CEQA-Compliant Environmental Document For The 5801 Christie Avenue Mixed Use Project, Increasing The Contract Amount By \$252,316 To An As Amended Total Not To Exceed \$716,558, And Appropriating \$252,316 From Unallocated Measure BB Local Streets and Roads Funds (Fund 242) To The Fiscal Year 2023-2024 Operating Budget For Planning Reimbursables - Professional Services (Account 1725-80050). (Chadrick Smalley / Miroo Desai)
- Attachments:** [Staff Report](#)  
[Original Contract](#)  
[Draft Resolution](#)  
[Exhibit A to Resolution - Third Amendment](#)  
[APPROVED Resolution No. 24-52](#)
- 10.5.** [ID-2024-180](#) Resolution Of The City Council Of The City Of Emeryville Determining That Public Convenience Or Necessity Would Be Served By The Issuance Of Type 21 And Type 42 Licenses By The Department Of Alcoholic Beverage Control To Total Wine & More For A Proposed Retail Store At 3938 Horton Street, Emeryville, California. (Chadrick Smalley / Miroo Desai / Alyssa Chung)
- Attachments:** [Staff Report](#)  
[Attachment - Planning Commission Staff Report](#)  
[Draft Resolution](#)  
[APPROVED Resolution No. 24-53](#)
- 10.6.** [ID-2024-194](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Second Amendment To The Maintenance Agreement With DC Electric Group, Inc. For On-Call Traffic Signal And Street Light Maintenance To Extend The Termination Date To June 30, 2025 And To Increase The Contract Amount By An Additional \$336,433.15 For A Total Contract Amount Not To Exceed \$1,841,578.15; Budgeting The Contract To Complete Routine Maintenance Tasks Using The Existing Operating Budget Of The Public Works Department; Budgeting The Contract To Complete Extra Work Tasks In The Amount Of \$125,000 (Fund 220) And \$66,290 (Fund 250) From CIP Project No. 24250019. (Mohamed Alaoui / Ryan O'Connell)

**Attachments:** [Staff Report](#)  
[Maintenance Services Contract - Original](#)  
[Maintenance Services Contract - 1st Amendment w Addendum](#)  
[Draft Resolution](#)  
[Maintenance Services Contract - 2nd Amendment](#)  
[APPROVED Resolution No. 24-54](#)

- 10.7.** [ID-2024-193](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A One (1) Year Maintenance Contract In The Amount Of \$1,016,750.68 That Includes Subcontracting Vendor Services With George S. Hall, Inc. For Citywide Maintenance / Construction Services At Various City Owned Buildings For Fiscal Year 2024/25, And Authorizing The City Manager To Execute Up To Four (4) Additional One-Year Extensions Not To Exceed A Total Contract Value Of \$4,378,734.36, Contingent Upon The City Council Appropriating Funds For The Applicable Fiscal Year. (Mohamed Alaoui / Daniel Gonzales)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[GSH Maintenance Services Contract](#)  
[GSH Proposal](#)  
[GSH Proposal Emeryville Tech Proposal](#)  
[GSH Insurance Requirements](#)  
[APPROVED Resolution No. 24-55](#)

## 11. PUBLIC HEARINGS

## 12. ACTION ITEMS

- 12.1.** [ID-2024-181](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Public Art Committee Recommendations To Select Five Artists And Teams Of Artists: 1) Jeanine Centuori And Russell Rock Of UrbanRock Design; 2) Sijia Chen Of Sijia Chen Studio; 3) Scott Donahue, Lesley Gasparetti, And John Roberts; 4) Addie Boswell And Matt Cartwright; 5) Pete Goldlust And Melanie Germond Of "The Germlusts" As Finalists For The 40th Streetscape Public Art Project; Authorizing The City Manager To Execute Contracts With The Artist Teams For The Design Of Conceptual Proposals For The 40th Streetscape Public Art Project In The Amount Of \$4,000 Plus Travel Expenses For Each Team To Be Funded From The Public Art Fund (Fund 243) / CIP Project # COF-03. (Chadrick Smalley / Amber Evans)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Attachment - Finalists Statements and Work Examples](#)  
[APPROVED Resolution No. 24-56](#)

- 12.2.** [ID-2024-199](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The Agreement Between The City Of Emeryville And The Alameda County Fire Department Regarding Fire And Emergency Services For The Term July 1, 2024 Through June 30, 2029, And With The First Year Proposed Cost Of \$9,224,815. (Paul Buddenhagen / Pedro Jimenez)

**Attachments:** [Staff Report](#)  
[Attachment A - AC Fire District Phase 2 Report](#)  
[Draft Resolution](#)  
[AGREEMENT BETWEEN EMERYVILLE AND ACFD](#)  
[Exhibit 1 - Emeryville Service Area 2024](#)  
[Exhibit 2 - ACFD Emeryville Response Plan](#)  
[Exhibit 3 - City of Emeryville Fire ApparatusEquipment Inventory](#)  
[Exhibit 4 - City of Emeryville List of Fire Department Employees Sorted by Date of Hire With the City of Emeryville](#)  
[Exhibit 5 - EM Budget Proposal FY 24-25 and Projection](#)  
[Exhibit 6 - June 30, 2023 GASB 75 Actuarial Valuation Report](#)  
[Exhibit 7 - Side Fund Calculation](#)  
[Exhibit 8 - Illustration of Methodology and Potential Calculation for Withdrawal Liability for City of Emeryville](#)  
[Exhibit -9 -Quality of Services Provided Report](#)  
[APPROVED Resolution No. 24-57](#)

- 12.3.** [ID-2024-206](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A First Amendment Agreement With The County Of Alameda That Governs The Provision Of Emergency Medical Services And First Responder Advanced Life Support (FRALS) For The Term Of July 1, 2019 To June 30, 2026. (Paul Buddenhagen / Pedro Jimenez)

**Attachments:** [Staff Report](#)  
[FRALS Agreement](#)  
[Draft Resolution](#)  
[Exhibit A - 2024 First FRALS Amendment](#)  
[APPROVED Resolution No. 24-58](#)

### 13. DEPARTMENT HEAD REPORTS

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

## **15. ADJOURNMENT**

THE NEXT REGULAR MEETING WILL BE ON TUESDAY, JUNE 4, 2024, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, LOCATED AT 1333 PARK AVENUE, EMERYVILLE, CA 94608.

**LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS**

[ID-2024-188](#) **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.**

June 4, 2024

- Decriminalization Ordinance (Group II Amendments)
- Auto-Centric Land Uses Ordinance
- Update Municipal Code for Speed Limits

June 18, 2024

- Special Meeting - Committee Appointments
- Accessibility Program

When published, the packets for City Council meetings can be viewed online at [www.emeryville.org/citycouncil](http://www.emeryville.org/citycouncil).