



CITY OF EMERYVILLE
AGENDA
City Council

Emeryville City Hall
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Members:

Mayor Christian R. Patz
Vice Mayor Dianne Martinez
Council Member John J. Bauters
Council Member Scott Donahue
Council Member Ally Medina

--SPECIAL MEETING--

Tuesday, June 9, 2020

7:16 PM

Teleconference

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 or the City Clerk, Sheri Hartz, at 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:

<https://zoom.us/j/94084248939?pwd=UjJ4WFFsTDZlZmRqNjRDSzFOdGM5dz09>

Password: 628089

Or iPhone one-tap :

US: +16699006833, 94084248939

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833

Webinar ID: 940 8424 8939

Password: 628089

International numbers available: <https://zoom.us/j/94084248939>

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.

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 AGENDA for this special 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-2020-276](#) Proclamation: In Recognition Of Emeryville Police Chief Jennifer Tejada Upon Her Retirement
- 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-2020-223](#) Warrants. (Susan Hsieh)

Attachments: [Staff Report](#)
[Wire Transfers](#)
[Check Register](#)

- 10.2. [ID-2020-229](#) Action Minutes of the May 19, 2020 Emeryville City Council / Management of Emeryville Services Authority Special Closed Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.3. [ID-2020-235](#) Action Minutes of the May 19, 2020 Emeryville City Council Special Study Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.4. [ID-2020-231](#) Action Minutes of the May 19, 2020 Emeryville City Council Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
- 10.5. [ID-2020-210](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Professional Services Contract With Operation Dignity, Inc. To Provide Homeless Outreach And Housing Navigation Team Services In An Amount Not To Exceed \$12,326 For Fiscal Year 2019-2020, \$294,375 For Fiscal Year 2020-2021, \$305,384 For Fiscal Year 2021-2022, And \$305,384 For Fiscal Year 2022-2023, For A Total Contract Amount Not To Exceed \$917,469 (Charles S. Bryant / Chadrick Smalley / Emi Thériault)
Attachments: [Staff Report](#)
[Attachment 1 - Request for Proposals](#)
[Attachment 2 - Scoring Worksheet](#)
[Draft Resolution](#)
[Exhibit A - Proposed Contract](#)
[APPROVED Resolution No. 20-44](#)
- 10.6. [ID-2020-211](#) Resolution Of The City Council Of The City Of Emeryville Authorizing Application For, And Receipt Of, \$65,000 In Local Government Planning Support Grant Program Funds To Partially Fund Preparation And Adoption Of The 2022-2030 Housing Element Of The Emeryville General Plan, And If Awarded To Appropriate The Funds To Grant Fund 254 (Charles S. Bryant / Diana Keena)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - Grant Application](#)
[APPROVED Resolution No. 20-45](#)

11. PUBLIC HEARINGS

No Public Hearing Items Listed.

12. ACTION ITEMS

- 12.1.** [ID-2020-225](#) Mid-Cycle Review Of The Two-Year Budget For Fiscal Years 2019-20 And 2020-21 And Proposed Budget Amendments. (Susan Hsieh)
- Attachments:** [Staff Report](#)
 [Draft Resolution](#)
 [Appendix A - FY 19-21 Proposed Budget Adjustments to the General Fund](#)
 [Appendix B - FY 19-21 Proposed Budget Adjustments to Other Funds](#)
 [Appendix C - FY 19-21 Proposed Budget Adjustments to Capital Projects](#)
 [FY 19-21 Revised Staffing Summary](#)
 [APPROVED Resolution No. 20-46](#)
- 12.2.** [ID-2020-226](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Appropriations Limit For The 2020-21 Fiscal Year At \$121,764,528. (Susan Hsieh)
- Attachments:** [Staff Report](#)
 [Draft Resolution](#)
 [Appendix A – Appropriations Limit Calculation FY 2020-21](#)
 [APPROVED Resolution No. 20-47](#)
- 12.3.** [ID-2020-219](#) Commercial Rent Repayment Ordinances. (Michael Guina / Andrea Visveshwara)
- Attachments:** [Staff Report](#)
- 12.3.1** [ID-2020-220](#) Urgency Ordinance Of The City Council Of The City Of Emeryville To Require Landlords To Provide A Repayment Plan For Rent In Arrears To Commercial Food Establishments Impacted By COVID-19 Emergency; CEQA Determination: Exempt Pursuant to California Public Resources Code Section 21080(b)(4) and State CEQA Guidelines 15269(c) and 15061(b)(3)
- Attachments:** [Draft Urgency Ordinance](#)
 [APPROVED Ordinance No. 20-010](#)
- 12.3.2** [ID-2020-221](#) Ordinance Of The City Council Of The City Of Emeryville To Require Landlords To Provide A Repayment Plan For Rent In Arrears To Commercial Food Establishments Impacted By COVID-19 Emergency; CEQA Determination: Exempt Pursuant to California Public Resources Code Section 21080(b)(4) and State CEQA Guidelines 15269(c) and 15061(b)(3)
- Attachments:** [Draft Ordinance](#)

- 12.4.** [ID-2020-227](#) Amending Chapter 40 Of Title 5 Of The Emeryville Municipal Code Re: Rent Repayment Program For Residential Tenants

Attachments: [Staff Report](#)

- 12.4.1** [ID-2020-232](#) Urgency Ordinance Of The City Council Of The City Of Emeryville Amending Section 5-40.03(e)(1)(i) Of The Emeryville Municipal Code, Which Requires Landlords To Provide A Repayment Plan For Rent In Arrears To Residential Tenants Impacted By COVID-19 Emergency; CEQA Determination: Exempt Pursuant to California Public Resources Code Section 21080(b)(4) and State CEQA Guidelines 15269(c) and 15061(b)(3)

Attachments: [Draft Urgency Ordinance](#)

[APPROVED Ordinance No. 20-011](#)

- 12.4.2** [ID-2020-233](#) Ordinance Of The City Council Of The City Of Emeryville Amending Section 5-40.03(e)(1)(i) Of The Emeryville Municipal Code, Which Requires Landlords To Provide A Repayment Plan For Rent In Arrears To Residential Tenants Impacted By COVID-19 Emergency; CEQA Determination: Exempt Pursuant to California Public Resources Code Section 21080(b)(4) and State CEQA Guidelines 15269(c) and 15061(b)(3)

Attachments: [Draft Ordinance](#)

- 12.5.** [ID-2020-237](#) Resolution Of The City Council Of The City Of Emeryville Appointing Robert Schreeder As The Interim Chief Of Police Pursuant To Government Code Section 21221(h). (Trish Raver)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Conditional Offer of Employment Letter](#)

[APPROVED Resolution No. 20-48](#)

- 12.6.** [ID-2020-271](#) Resolution Of The City Council Of The City Of Emeryville Approving The Local Business Recovery Program; And Re-Appropriating \$200,000 From The Façade Improvement Program To The Local Business Recovery Program. (Chief Jennifer Tejada / Chadrick Smalley)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[APPROVED Resolution No. 20-49](#)

13. DEPARTMENT HEAD REPORTS

- 13.1. [ID-2020-213](#) Planning Director's report on Planning Commission actions at the May 28, 2020 meeting:

- (a) Emeryville Center for the Arts. Second study session to review an adaptive reuse proposal that will involve renovation of an existing, 30,000 square foot vacant building at 4060 Hollis Street to accommodate an arts and cultural center.
- (b) San Pablo Affordable Apartments. Study session to review a proposal for redevelopment of a 0.39 acre site at 3600 San Pablo Avenue with a 7-story, 90-unit, 100% affordable housing project with a minimum of 3,600 square feet of ground floor commercial space for the Emeryville Citizens' Assistance Program (ECAP). The applicant proposes that the project be processed under SB 35, which mandates ministerial approval (i.e. staff level), and AB 1763, which specifies no density limit for projects within one-half mile of transit.

The packet for the May 28, 2020 Planning Commission meeting can be viewed online at <http://ca-emeryville.civicplus.com/Archive.aspx?AMID=43&Type=Recent>

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

15. ADJOURNMENT

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS[ID-2020-234](#)

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 in accordance with the Order. 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.**

June 16, 2020 City Council Meeting

- Special Meeting: Annual Committee/Commission Appointments
- Public Hearing - Bird Friendly Planning Regulations
- Process for Expanding Restaurant Dining Areas to Outdoor Space

July 7, 2020 City Council Meeting

- Annual Regular Meetings For: Public Finance Authority, Community Development Commission and Management of Emeryville Services Authority (MESA)
- Study Session #3 on Unit Mix in High-Rise Buildings
- Resolution Calling Election - November 3, 2020
- Home Buyer and Rental Policies and Regulations
- Art Center Lease Disposition and Development Agreement
- 1st Reading: Car Share/Moped Share Ordinance
- Ped-Bike Plan RFP
- City Attorney Contract

When published, the packets for City Council meetings can be viewed online at www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Emeryville City Council

/Sheri Hartz/

Sheri Hartz, City Clerk