



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 Christian R. Patz

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**Tuesday, February 2, 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/99781798459?pwd=ZWpra2Rtb2x5Vnhvb1hkbmpGbEhhUT09>  
Passcode: 628089

Or iPhone one-tap :

US:

+16699006833,,99781798459#,,,,\*628089#

Or Telephone:

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

+1 669 900 6833

Webinar ID: 997 8179 8459

Passcode: 628089

<https://emeryville-org.zoom.us/j/99781798459>

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-2021-052](#) Warrants. (Brad Farmer)  
**Attachments:** [Staff Report](#)  
[Wire Transfers](#)  
[Check Register](#)
  - 10.2. [ID-2021-057](#) Action Minutes of January 19, 2021 Special Closed Session (City Council / Management of Emeryville Services Authority / City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency). (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
  - 10.3. [ID-2021-061](#) Action Minutes of January 19, 2021 Emeryville City Council Special Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)

- 10.4. [ID-2021-058](#) Action Minutes of January 19, 2021 Emeryville City Council Special Study Session. (Sheri Hartz)

**Attachments:** [Action Minutes](#)

- 10.5. [ID-2021-060](#) Action Minutes of January 19, 2021 Emeryville City Council Regular Meeting. (Sheri Hartz)

**Attachments:** [Action Minutes](#)

## 11. PUBLIC HEARINGS

## 12. ACTION ITEMS

- 12.1. [ID-2021-054](#) Appointments To The ACTC Paratransit Advisory And Planning Commission And Economic Development Advisory Committee: (Sheri Hartz / Lorryne Leong)

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

[Applicant: John Suter](#)

[Applicant: Diane Zuniga](#)

[Applicant: Jean-Philippe Gorrut](#)

[Applicant: Kirsten Walraven](#)

- 12.1.1 [ID-2021-055](#) Resolution Of The City Council Of The City Of Emeryville Appointing \_\_\_\_\_ As Resident To Serve On The Alameda County Transportation Commission's Paratransit Advisory And Planning Commission For A Term Commencing Immediately And Ending December 31, 2022; Amending The Publicly Noticed FPPC Form 806 As Required By FPPC Regulation 18705.5; And Amending The 2021 City Roster Of County, Regional And Statewide Bodies Accordingly

**Attachments:** [Draft Resolution \(PAPCO\)](#)

[ACTC Paratransit Advisory and Planning Commission Roster](#)

- 12.1.2 [ID-2021-056](#) Resolution Of The City Council Of The City Of Emeryville Appointing \_\_\_\_\_ As Large Business Representative On The Economic Development Advisory Committee For A Term Commencing Immediately And Ending June 30, 2022; And Amending The FY2020-21 Local Roster Of Boards, Commissions And Committee Accordingly

**Attachments:** [Draft Resolution \(EDAC\)](#)

[Economic Development Advisory Committee Roster](#)

- 12.2.** [ID-2021-050](#) An Ordinance Of The City Council Of The City Of Emeryville Amending Section 5-28.06(d) Of The Emeryville Municipal Code, "Cannabis, Review of Applications - Appeal of Disapprovals and Suspensions" (CEQA Determination: Exempt Pursuant To CEQA Guideline 15061(b)(3)) (Charles S. Bryant / Chadrick Smalley)  
**Attachments:** [Staff Report](#)  
[Proposed Ordinance](#)
- 12.3.** [ID-2021-047](#) Ordinance Of The City Council Of The City Of Emeryville Amending Chapter 13, "Dockless Shared Mobility Systems," to Title 4 Of The Emeryville Municipal Code To Establish Regulations And New Permits To Operate Dockless Shared Mobility Systems In The Public Right Of Way (CEQA Determination: Exempt Pursuant to State CEQA Guidelines 15061(b)(3), 15378(a),(b)(3)). (Mary Grace Houlihan / Nancy Humphrey)  
**Attachments:** [Staff Report](#)  
[Draft Ordinance Amendment](#)

### 13. DEPARTMENT HEAD REPORTS

13.1. [ID-2021-051](#) Planning Director's report on Planning Commission actions at the January 28, 2021 meeting:

- (a) Elevation 22 Street Tree Removal. Consideration of a Tree Removal Permit to allow removal and replacement of three Camphor (*Cinnamomum camphora*) trees on the west side of Doyle Street north of Powell Street, and one Marina madrone (*Arbutus X 'Marina'*) tree on the Emeryville Greenway near the corner of Hollis Street and Powell Street.
- (b) Emery Go-Round Temporary Fleet Parking Conditional Use Permit Amendment. Consideration of a second amendment to a Conditional Use Permit that was approved by the Planning Commission on March 15, 2018 to use approximately three-fourths of the "Rifkin Lot" at 4555 Horton Street to park Emery Go-Round buses and employee cars. The first amendment, approved by the Planning Commission on February 27, 2020, was to extend the permitted occupancy of the site from two years to three years. This second amendment is to extend the termination of the permitted occupancy of the site from April 15, 2021 to June 30, 2021.
- (c) Garage Conversion into Two Bedrooms. Consideration of a Conditional Use Permit and Design Review application to convert a first-floor garage into two additional bedrooms for a ground-floor unit in an existing duplex at 1017 47th Street, resulting in a floor area ratio (FAR) of 0.56, which exceeds the base FAR of 0.5.

The packet for the January 28, 2021 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-2021-062](#) **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.**

February 16, 2021 City Council Meeting

- Study Session: Senate Bill 1383
- Housing Bond Expenditure Plan Approval
- Reach Codes Policy Information/Direction

March 2, 2021 City Council Meeting

- Committee Reports to Council: Budget Advisory, Commission on Aging, Economic Development and Public Art
- Public Hearing: Master Fee Schedule Amendment

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 WILL BE ON FEBRUARY 16, 2021, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608 OR VIA TELECONFERENCE IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER.