



CITY OF EMERYVILLE
AGENDA
City Council

Emeryville City Hall
1333 Park Avenue
Emeryville, CA 94608
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(510) 450-7831 fax
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

Tuesday, April 6, 2021

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 the webinar:

<https://emeryville-org.zoom.us/j/93492507139?pwd=ZHhtZTN6eXdjOHJsY2xxRidlL2dCZz09>
Passcode: 788704

Or iPhone one-tap: +16699006833,,93492507139#,,,,*788704#

Or Telephone: +1 669 900 6833
Webinar ID: 934 9250 7139
Passcode: 788704

[https://emeryville-org.zoom.us/u/abAej5m09m](https://emeryville-org.zoom.us/j/93492507139?pwd=ZHhtZTN6eXdjOHJsY2xxRidlL2dCZz09)

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-2021-139](#) Warrants. (Brad Farmer)
Attachments: [Staff Report](#)
[Wire Transfers](#)
[Check Register](#)
 - 10.2. [ID-2021-147](#) Action Minutes of March 16, 2021 Special Closed Session (City Council / Management of Emeryville Services Authority). (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.3. [ID-2021-148](#) Action Minutes of March 16, 2021 Emeryville City Council Special Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.4. [ID-2021-150](#) Action Minutes of March 16, 2021 Emeryville City Council Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)

- 10.5.** [ID-2021-146](#) Resolution Of The City Council Of The City Of Emeryville Approving The Emeryville Transportation Management Association (TMA) 2021 Budget And Setting Compensation To The TMA To Operate The Emery Go Round Shuttle Service During The 2021 Calendar Year Under The Terms Of The Service Agreement For An Amount Not To Exceed Four Million, Six Hundred Thirty Nine Thousand And Three Hundred Eighty Dollars (\$4,639,380); And Authorize An Additional Five Hundred Thousand, Fifty-Six Thousand, Three Hundred Sixty Eight Dollars (\$556,368) From The Emeryville Property Based Business Improvement District (PBID) Fund 805 To Cover Additional General Benefit Contribution. (Brad Farmer)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[TMA 2021 Budget](#)
[APPROVED Resolution No. 21-24](#)

- 10.6.** [ID-2021-114](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Fifth Amendment To The Professional Services Agreement With Biggs Cardosa Associates, Inc. To Revise Workslope And Budget For Engineering Design Services Related To The South Bayfront Pedestrian Bicycle Bridge/Horton Landing Park Project, EPW 17-113 (CIP No. 164750006 and CIP No. 17237003). (Mary Grace Houlihan / Todd Teachout)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Professional Services Contract](#)
[1st Amendment](#)
[2nd Amendment](#)
[3rd Amendment](#)
[4th Amendment](#)
[5th Amendment](#)
[Exhibit A-5](#)
[APPROVED Resolution No. 21-25](#)

- 10.7. [ID-2021-137](#) Resolution Of The City Council Of The City of Emeryville Appropriating Two Thousand Five Hundred Dollars (\$2,500) From Capital Improvement Project 15240017, Bicycle And Pedestrian Plan Implementation Using Measure BB Bicycle/Pedestrian Fund 264 For 2021 Bike To Wherever Day (BTWD) Sponsorship. (Matt Anderson / Nancy Humphrey / Mary Grace Houlihan)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Exhibit A - BTWD 2020 Report](#)

[Exhibit B - BTWD 2021 Sponsorship](#)

[APPROVED Resolution No. 21-26](#)

- 10.8. [ID-2021-132](#) Second Reading Of 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](#)

[Attachment 1 - Staff report from March 16, 2021](#)

[Proposed Ordinance](#)

[APPROVED Ordinance No. 21-002](#)

11. PUBLIC HEARINGS

12. ACTION ITEMS

- 12.1. [ID-2021-151](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Professional Services Contract With Maze & Associates To Audit The Financial Records Of The City Of Emeryville And The Successor Agency To The Former Emeryville Redevelopment Agency For An Amount Not To Exceed \$103,481 Per Year For Fiscal Years Ending June 30, 2021, 2022, And 2023, For A Total Contract Amount Not To Exceed \$310,443; With An Option To Extend For Fiscal Years 2024 And 2025. (Brad Farmer)

Attachments: [Staff Report](#)

[Professional Services Contract](#)

[Draft Resolution](#)

[APPROVED Resolution No. 21-27](#)

- 12.2. [ID-2021-133](#) Discussion on Prohibiting Crematories in Emeryville (Charles S. Bryant)

Attachments: [Staff Report](#)

[Attachment 1 - Pacific Interment CUP Documents](#)

13. CITY COUNCIL AS DISASTER COUNCIL

- 13.1. [ID-2021-136](#) Approval by The City Council / Disaster Council Of The City Of Emeryville Authorizing the April 1, 2021 through June 3, 2021 CERT Academy Training. (Trish Raver / Lori Elefant)

Attachments: [Staff Report](#)

[CERT Academy Flyer](#)

14. DEPARTMENT HEAD REPORTS

- 14.1. [ID-2021-134](#) Planning Director's report on Planning Commission actions at the March 25, 2021 meeting:

- (a) 6613 Hollis Cannabis Manufacturing and Non-Storefront Dispensary Incubator Facility Amendment. Consideration of an amendment to Conditional Use Permit UP17-003 to convert second floor space (approximately 1,200 square feet) for cannabis manufacturing use and minor changes to the building floor plan to accommodate the proposed use. The Conditional Use Permit was originally approved by the Planning Commission on January 25, 2018.
- (b) 3637 Adeline Supportive Housing. Study session to review a proposal for redevelopment of a 0.29-acre site with a 7-story, 90-unit, 100% affordable supportive housing project. 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 March 25, 2021 Planning Commission meeting can be viewed online at <http://ca-emeryville.civicplus.com/Archive.aspx?AMID=43&Type=Recent>

15. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

16. ADJOURNMENT

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

[ID-2021-145](#) **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.**

April 20, 2021 City Council Meeting

- Study Session: Right to Return Ordinance
- Public Hearing: Development Impact Fees Annual Increase
- Public Hearing: Master Fee Schedule Update
- Mid Year Budget Update

May 4, 2021 City Council Meeting

- Study Session: New Fiscal Year Budget
- Mural Artist Selection

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

www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive.

THE NEXT REGULAR MEETING WILL BE ON APRIL 20, 2021, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608 OR VIA TELECONFERENCE IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER.