



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

--AMENDED--

Tuesday, May 4, 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/95438555318?pwd=VGVtK3ISb1JDWGNtUFNoZFZyQ2JVZz09>
Passcode: 470215

Or iPhone one-tap: +16699006833,,95438555318#,,,,*470215#

Or Telephone: 1 669 900 6833
Webinar ID:954 3855 5318
Passcode: 470215

International Phone Numbers: <https://emeryville-org.zoom.us/j/95438555318?pwd=VGVtK3ISb1JDWGNtUFNoZFZyQ2JVZz09>

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-2021-208](#) Warrants. (Brad Farmer)
Attachments: [Staff Report](#)
[Wire Transfers](#)
[Check Register](#)
 - 10.2. [ID-2021-222](#) Action Minutes of April 20, 2021 Special Closed Session (City Council / City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency). (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.3. [ID-2021-232](#) Action Minutes of April 20, 2021 Emeryville City Council Special Study Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.4. [ID-2021-223](#) Action Minutes of April 20, 2021 Emeryville City Council Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)

- 10.5. [ID-2021-211](#) Resolution Of The City Council Approving A Side Letter Of Agreement Between The City And Service Employees International Union, Local 1021 (SEIU) Regarding A Memorandum Of Understanding (MOU) Extension. (Trish Raver)

In Conjunction with MESA Special Meeting Agenda Item No.

6.1

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Side Letter of Agreement – SEIU MOU Extension](#)
[APPROVED Resolution No. 21-37](#)

- 10.6. [ID-2020-577](#) Resolution Of The City Council Of The City Of Emeryville Authorizing A First Amendment Of The Professional Services Contract With West Coast Code Consultants For Fiscal Years 2019-2020 And 2020-2021 For Plan Checking And Field Inspection Services In An Amount Of \$596,320 To Cover Expanded Services For A Total Amount Not To Exceed \$2,665,520. (Charles S. Bryant / Victor R. Gonzales)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Professional Services Contract](#)
[Exhibit A - Contract Amendment](#)
[APPROVED Resolution No. 21-38](#)

- 10.7. [ID-2021-213](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into An Easement Agreement With Foundry31 owner (DE) LLC Access And Maintain A Pedestrian Bridge To Access The Property At 3100 San Pablo Avenue. (Mary Grace Houlihan)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[MOU: Cities of Berkeley, Oakland, Emeryville](#)
[MOU: City of Emeryville/LBA RIV Company](#)
[Easement Agreement with Exhibits A, B, C](#)
[APPROVED Resolution No. 21-39](#)

11. PUBLIC HEARINGS

12. ACTION ITEMS

- 12.1. [ID-2021-230](#) Budget Planning Discussion FY 2021-22. (Brad Farmer)
Attachments: [Staff Report](#)
[All Funds Budget Summary](#)
- 12.2. [ID-2021-219](#) Consideration Of Commission On Aging Recommendation To Name A Day Of Service To Honor Nora Davis. (Pedro Jimenez)
Attachments: [Staff Report](#)
- 12.3. [ID-2021-205](#) Ordinance Of The City Council Of The City Of Emeryville Amending Section 4-13.02 of the Emeryville Municipal Code, "Dockless Shared Mobility System Operator Permits" And Section 4-13.10 of the Emeryville Municipal Code, "System Data and Reports", To Modify The Permit Term And Remove Reference To A Standard; CEQA Determination: Exempt Pursuant to CEQA Guideline 15061(b)(3). (Mary Grace Houlihan / Nancy Humphrey)
Attachments: [Staff Report](#)
[Draft Ordinance](#)
- 12.4. [ID-2021-235](#) Resolution Of The City Council Of The City Of Emeryville In Support Of An Inclusive Redistricting Process for Alameda County in 2021. (Council Member Patz)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Fair Redistricting Fact Sheet](#)
[AB 849 Full Text](#)
[AB 1276 Full Text](#)
[APPROVED Resolution No. 21-40](#)
- 12.5. [ID-2021-234](#) Resolution Of The City Council Of The City Of Emeryville In Support Of Assembly Bill 1238 (Ting) - The Freedom to Walk Act. (Council Member Medina)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Draft Letter of Support](#)
[AB 1238 Full Text](#)
[APPROVED Resolution No. 21-41](#)

- 12.6.** [ID-2021-229](#) Resolution Of The City Council Of The City Of Emeryville In Support Of Assembly Bill 1271 (Ting) - Surplus Land Act. (Council Member Bauters)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[Draft Letter of Support](#)

[AB 1271 Fact Sheet](#)

[APPROVED Resolution No. 21-42](#)

13. DEPARTMENT HEAD REPORTS

13.1. [ID-2021-210](#) Planning Director's report on Planning Commission actions at the April 22, 2021 meeting:

- (a) EmeryStation Overland. A study session to review a proposal to construct a new 300,000 square foot Research and Development building and a six level parking structure accommodating 495 parking spaces on an approximately 172,560 square foot parcel bounded by Overland Avenue and 62nd, 63rd and Hollis Streets. The proposal includes preservation of the existing Hollis Street Building that accommodates Ruby's Café and 41 live-work units, and demolition of all other structures on the western portion of the site.
- (b) 65th Street Multi-Unit Residential. A third study session to review a proposal for a new 24-unit residential building consisting of all 2- and 3-bedroom units at 1225 65th Street requiring a variance for the setback on the west side of the property and a tree removal permit.
- (c) Objective Standards. A study session to review an Issues and Options paper discussing requirements and opportunities to streamline the development review process for multifamily and mixed use residential projects requiring ministerial approval to comply with State law by making targeted changes to the City's Planning Regulations.

The packet for the April 22, 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-2021-231](#) **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.**

May 18, 2021 City Council Meeting

- Study Session: Objective Planning & Development Standards

June 1, 2021 City Council Meeting

- Study Session: Cannabis Expansion of Operators Permits

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 TUESDAY, MAY 18, 2021, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608 OR VIA TELECONFERENCE IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER.