



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

--AMENDED--

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**Tuesday, June 1, 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/94149777953?pwd=ZERwRHFIT0w3TXFFZU5Gc2t4OXBIZz09>  
Passcode: 175231

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Or iPhone one-tap: +16699006833,,94149777953#,,,,\*175231#

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Or Telephone: 1 669 900 6833  
Webinar ID:941 4977 7953  
Passcode: 175231

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International Phone Numbers: <https://emeryville-org.zoom.us/j/94149777953?pwd=ZERwRHFIT0w3TXFFZU5Gc2t4OXBIZz09>

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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-2021-258](#) Warrants. (Brad Farmer)  
**Attachments:** [Staff Report](#)  
[Wire Transfers](#)  
[Check Register](#)
  - 10.2. [ID-2021-268](#) Action Minutes of May 18, 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-2021-270](#) Action Minutes of May 18, 2021 Emeryville City Council Special Study Session. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
  - 10.4. [ID-2021-271](#) Action Minutes of May 18, 2021 Emeryville City Council Regular Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)

- 10.5.** [ID-2021-261](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Appropriations Limit For FY 2021-22. (Brad Farmer / Monica Centeno)  
**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Appendix A - Gann Appropriations Limit Calculation FY 2021-22](#)  
[APPROVED Resolution No. 21-46](#)
- 10.6.** [ID-2021-260](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The Notice Of Exercise Of Option To Acquire 1500 Park Avenue #322 And Any Other Documents Required To Complete The City's Acquisition Of 1500 Park Avenue #322 At A Purchase Price Not To Exceed \$338,200 And To Expend Up To \$16,800 For Repairs, Holding Costs And Any Additional Transactional Costs For A Total Expenditure Not To Exceed \$355,000 From The Affordable Housing Fund (Fund 299) As Appropriated To The Capital Improvement Program For Below Market Rate Unit Acquisition Program (CIP No. # H-06) (Charles S. Bryant / Chadrick Smalley / Valerie Bernardo)  
**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Attachment A - Notice of Exercise of Option to Acquire](#)  
[Exhibit A to Notice of Exercise of Option to Acquire](#)  
[APPROVED Resolution No. 21-47](#)
- 10.7.** [ID-2021-156](#) 3600 San Pablo Affordable Housing Project (Charles S. Bryant / Chadrick Smalley / Valerie Bernardo)  
**Attachments:** [Staff Report](#)

- 10.7.1** [ID-2021-225](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The First Amendment To Predevelopment Loan Agreement By And Between The City Of Emeryville And Evoy, L.P., An Affiliate Of Resources For Community Development, A California Nonprofit Public Benefit Corporation, For The Development Of Affordable Housing At 3600, 3610 And 3620 San Pablo Avenue, Increasing The Predevelopment Loan Amount By \$1,500,000 To A Total Amount Not To Exceed \$3,500,000; Appropriating \$1,500,000 From The Low And Moderate Income Housing Fund (Fund 298) To The Fiscal Year 2020-2021 Budget For Capital Improvement Project No. H-07; And Authorizing The Allocation Of 89 Affordable Rental Units Of The City's Article 34 Authority
- Attachments:** [Draft Resolution](#)  
[Exhibit A - Predevelopment Loan Agreement Amendment](#)  
[APPROVED Resolution No. 21-48](#)
- 10.7.2** [ID-2021-226](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute The AHSC Implementation And Mutual Indemnity Agreement Between The City Of Emeryville And Resources For Community Development
- Attachments:** [Draft Resolution](#)  
[Exhibit A - AHSC Implementation Agreement](#)  
[APPROVED Resolution No. 21-49](#)
- 10.8.** [ID-2021-237](#) Resolution Of The City Council Of The City Of Emeryville Approving The Proposed SB 1 Project List And Appropriation For Fiscal Year 2021-2022. (Mary Grace Houlihan / Ryan O'Connell)
- Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Exhibit A - 2021-2022 SB1 Project List](#)  
[APPROVED Resolution No. 21-50](#)

- 10.9.** [ID-2021-255](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Third Amendment To The Professional Services Agreement With Coastland Civil Engineering, Inc. For City Engineering & Inspection Services, Capital Projects Delivery Support, And Construction Management Services To Extend the Termination Date To June 30, 2022, And To Increase The Contract Amount By An Additional \$218,500 For A Total Contract Amount Not To Exceed \$873,148, And To Authorize The City Manager To Execute Amendments To Further Extend The Termination Date, Amend the Scope Of Work And To Increase The Contract Amount By An Additional Cumulative Amount of \$45,000. (Mary Grace Houlihan)

**Attachments:** [Staff Report](#)  
[Initial PSC- Coastland](#)  
[1st Amendment](#)  
[2nd Amendment](#)  
[Draft Resolution](#)  
[3rd Amendment](#)  
[Exhibit A-3 Scope of Services](#)  
[APPROVED Resolution No. 21-51](#)

- 10.10.** [ID-2021-243](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute Amendment No. 3 To The Professional Services Agreement With EKI Environment and Water, Inc. increasing the Not-To-Exceed Contract Amount And Extending Time For Environmental Services Related To The South Bayfront Pedestrian Bicycle Bridge Project, EPW17-112 (CIP #16475006). (Mary Grace Houlihan / Todd Teachout)

**Attachments:** [Staff Report](#)  
[Professional Services Agreement](#)  
[1st Amendment](#)  
[2nd Amendment](#)  
[Draft Resolution](#)  
[3rd Amendment](#)  
[Exhibit A-3](#)  
[APPROVED Resolution No. 21-52](#)

- 10.11.** [ID-2021-254](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Maintenance Contract With Rubicon Landscape Corporation In An Amount Not To Exceed \$150,117 For City-Wide Landscape Maintenance For Fiscal Year 2021/22. (Mary Grace Houlihan)

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

[Draft Resolution](#)

[Rubicon Landscape Maintenance Services Contract FY 21-22](#)

[Exhibit A - Scope of Work](#)

[Exhibit B - Insurance Requirements](#)

[Exhibit C - Other Requirements](#)

[APPROVED Resolution No. 21-53](#)

- 10.12.** [ID-2021-217](#) Second Reading Of An Ordinance Of The City Council Of The City Of Emeryville Establishing A Vehicle Share Policy As Chapter 14 Of Title 4 Of The Emeryville Municipal Code, Program And Fees (CEQA Determination: Exempt Pursuant to State CEQA Guidelines 15061(b)(3) (Mary Grace Houlihan / Nancy Humphrey)

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

[Draft Ordinance](#)

[Staff Report May 18 2021](#)

[APPROVED Ordinance No. 21-004](#)

## 11. PUBLIC HEARINGS

**12. ACTION ITEMS**

- 12.1.** [ID-2021-281](#) Consideration Of A Request For An ADA Blue Disabled Parking Zone At 1055 43rd Street, Emeryville, California. (Mary Grace Houlihan / Lorraine Leong)  
**Attachments:** [Staff Report](#)  
[Exhibit A - ADA Blue Zone Application \(Burkhalter\)](#)  
[Exhibit B - Proposed Location](#)  
[Exhibit C - ADA Blue Zone Map](#)
- 12.2.** [ID-2021-263](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Operating Budget For Fiscal Year 2021-22 (“Operating Budget”), And Appropriating Funds And Projecting Funds As Set Forth In The Operating Budget. (Brad Farmer / Monica Centeno)  
**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Proposed FY 2021-22 Budget](#)  
[APPROVED Resolution No. 21-54](#)
- 12.3.** [ID-2021-262](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into An Agreement By And Between The County Of Alameda And The City Of Emeryville For The Purpose Of Carrying Out The Community Development Block Grant (CDBG) Program For Fiscal Year 2021-22, Amending The Fiscal Year 2021-2022 Operating Budget To Increase Revenues To The CDBG Fund (Fund No. 205) By \$53,105 To \$63,500 And Increase The Appropriation For Meals On Wheels Programs (Fund No. 205) By \$5,105 To \$15,500, And Appropriating \$48,000 To The Fiscal Year 2021-2022 Capital Improvement Program Budget For Senior Center Accessibility Improvements (General Major Maintenance CIP Project No. FM-01). (Charles S. Bryant / Chadrick Smalley / Valerie Bernardo)  
**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Exhibit A - CDBG Annual Agreement](#)  
[APPROVED Resolution No. 21-55](#)



- 12.4. [ID-2021-253](#) Resolution of the City Council of the City of Emeryville Approving the Conceptual Design and Directing Lennar Multifamily Communities to Proceed with Final Design and Installation of Bicycle Boulevard Level 4 and 5 Traffic Calming Measures. (Mary Grace Houlihan / Michael Roberts)

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

[Draft Resolution](#)

[Exhibit A - Level 4 Treatment Measures](#)

[Exhibit B - 40th/Horton Street Turn Restrictions](#)

[Exhibit C - 40th/Horton Street Turn Pocket Extension](#)

[Exhibit D - 53rd/Horton Turn Restriction](#)

[Exhibit E - Excerpt from Table 1 from the Fehr & Peers Dec 12, 2014 Memorandum RE: Sherwin-Williams – Horton Street Turn Restriction Assessment](#)

[Exhibit F - 40th/Horton Traffic Analysis](#)

[Workshop Presentation](#)

**13. DEPARTMENT HEAD REPORTS**

13.1. [ID-2021-257](#) Planning Director's report on Planning Commission actions at the May 27, 2021 meeting:

- (a) Two Unit Replacement, 1270 64th Street. A study session to review a proposal to demolish two existing uninhabitable residential structures and replace them with two new residential structures at 1270 64th Street.
- (b) 4700 San Pablo Mixed Use Project. A study session on a proposal to demolish existing commercial and light industrial buildings and construct a new 63,000 square foot life science and office building and nine residential units including four townhouse units and five loft type units on a 1.24-acre parcel.
- (c) Planning Regulations Amendment to Prohibit Crematories. Consideration of a proposed ordinance amending the Planning Regulations in Title 9 of the Emeryville Municipal Code to prohibit Crematories in all zoning districts.

The packet for the May 27, 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-2021-274](#) **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.**

June 15, 2021 City Council Meeting

- Study Session: Ashby Interchange
- Special Meeting: Annual Committee/Commission Appointments
- Informational Report on Construction Noise Waivers

July 6, 2021 City Council Meeting

- Study Session: 1270 64th Street Project - Replace Two Units
- Resolution Calling Election to Fill Council Vacancy
- Discussion and Action to Fill Council Member Committee/Commission Assignments

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

[www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive.1](http://www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive.1)

THE NEXT REGULAR MEETING WILL BE ON TUESDAY, JUNE 15, 2021, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608 OR VIA TELECONFERENCE IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER.