



CITY OF EMERYVILLE
AGENDA
City Council

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

Mayor Dianne Martinez
Vice Mayor Scott Donahue
Council Member John J. Bauters
Council Member Ally Medina
Council Member (Vacant)

Tuesday, July 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/95430970549?pwd=N0RXNHBJdzlxRk83RjhYIjJc0tadz09>
Passcode: 975692

Or iPhone one-tap: +16699006833,,95430970549#,,,,*975692#

Or Telephone: 1 669 900 6833
Webinar ID:954 3097 0549
Passcode: 975692

International Phone Numbers: <https://emeryville-org.zoom.us/j/95430970549?pwd=N0RXNHBJdzlxRk83RjhYIjJc0tadz09>

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-2021-312](#) Warrants. (Brad Farmer)
Attachments: [Staff Report](#)
[Wire Transfers](#)
[Check Register](#)
 - 10.2. [ID-2021-326](#) Action Minutes of June 15, 2021 Emeryville City Council Special Study Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.3. [ID-2021-327](#) Action Minutes of June 15, 2021 Emeryville City Council Special Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.4. [ID-2021-328](#) Action Minutes of June 15, 2021 Emeryville City Council Regular Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.5. [ID-2021-329](#) Action Minutes of June 15, 2021 Emeryville City Council Special Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)

- 10.6. [ID-2021-287](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute Contract #CSPP-1009 With The State Department Of Education, Office Of Child Development, For Fiscal Year 2021-2022 In The Amount of \$184,604 And Any Future Amendments And Appropriate Said Funds When Received To Accounts 230-53600 and 230-52300 (Pedro Jimenez)

Attachments: [Staff Report](#)
[Draft Resolution](#)
[Contract CSPP -1009](#)
[APPROVED Resolution No. 21-70](#)

- 10.7. [ID-2021-273](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A First Amendment To The Professional Services Contract With Econolite Systems, Inc., For An Additional Amount Not To Exceed \$146,342.00 For The Emeryville Innovative Deployment To Enhance Arterials (IDEA) Project, For A Total Contract Amount Not To Exceed \$679,349.00; Appropriating \$136,936 Of MTC IDEA Grant Funding In FY2021/2022 To CIP Project No. 20254001; Transferring and Appropriating \$245,000 from CIP Project No. 1645036 Fund 475 to CIP Project No. 20254001 Fund 475. (Mary Grace Houlihan / Ryan O'Connell)

Attachments: [Staff Report](#)
[Attachment A - Original PSC](#)
[Draft Resolution](#)
[First Amendment PSC \(Signed\)](#)
[Exhibit A-1 - Additional Scope of Work](#)
[APPROVED Resolution No. 21-71](#)

11. PUBLIC HEARINGS

- 11.1. [ID-2021-314](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Chief Of Police To Issue A 2021 Annual Cabaret License To Bank Club Café. (Chief Jennings / Captain Collins)

Attachments: [Staff Report](#)
[Cabaret Permit Application](#)
[Bank Club Cafe Payment](#)
[Draft Resolution](#)
[Records Check Report 2021](#)
[APPROVED Resolution No. 21-72](#)

- 11.2.** [ID-2021-320](#) Resolution Of The City Council Of The City Of Emeryville Establishing The Fiscal Year 2021-221 Property And Business Improvement District (“PBID”) Annual Assessment Levy For The Respective Parcels Within The Improvement District With No Increase In Assessment For All Parcels, And Approving The Preliminary Budget Submitted By The Emeryville Transportation Management Association (“ETMA”) For Service Year 2022. (Brad Farmer / Monica Centeno)

Attachments: [Staff Report](#)

[1. ETMA 2022 Preliminary Budget](#)

[2. ETMA 2020 Annual Report and 2014-2020 Ridership Report](#)

[3. Fiscal Year 2021-22 Preliminary Assessment Levy 3% Increase](#)

[Draft Resolution](#)

[APPROVED Resolution No. 21-73](#)

- 11.3.** [ID-2021-306](#) Ordinance Of The City Council Of The City Of Emeryville Amending Article 2 Of Chapter 3 Of The Planning Regulations At Title 9 Of The Emeryville Municipal Code To Prohibit Crematories In All Zoning Districts (CEQA Status: Not A “Project” Under Public Resources Code Section 21065, And Common Sense Exemption At CEQA Guidelines Section 15061(b)(3)) (Charles S. Bryant)

Attachments: [Staff Report](#)

[Proposed Ordinance](#)

12. ACTION ITEMS

- 12.1.** [ID-2021-336](#) Consideration Of A Request For An ADA Blue Disabled Parking Zone At 1270 62nd Street, Emeryville, California. (Christine Daniel / Lorryne Leong)

Attachments: [Staff Report](#)

[Exhibit A - ADA Blue Parking Zone Application \(Nuni\)](#)

[Exhibit B - ADA Blue Parking Zone Proposed Location](#)

[Exhibit C - ADA Blue Zone Map](#)

- 12.2.** [ID-2021-308](#) 40th Street Pedestrian /Bike Improvements Grant Support. (Mary Grace Houlihan / Ryan O'Connell)

Attachments: [Staff Report](#)

- 12.2.1** [ID-2021-330](#) Resolution Of The City Council Of The City Of Emeryville Transferring And Appropriating \$154,500.90 From T-01 (CIP Project No. 17240005) Fund 242 To T-13 (CIP Project No. NEW) Fund 242 And Upon Receipt From ACTC For Local Matching Funds, Returning Said Funds To T-01 (CIP Project No. 17240005) Fund 242.
Attachments: [Draft Resolution - Local Matching Funds](#)
[APPROVED Resolution No. 21-74](#)
- 12.2.2** [ID-2021-331](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Filing Of An Application For Funding Assigned To Metropolitan Transportation Commission And Committing Any Necessary Matching Funds And Stating Assurance To Complete The Project.
Attachments: [Draft Resolution - Local Support ATP 40th Street](#)
[APPROVED Resolution No. 21-75](#)
- 12.3.** [ID-2021-284](#) Resolution Of The City Council Of The City Of Emeryville Calling For A Municipal Election To Be Held On November 2, 2021, To Fill A City Council Vacancy; Requesting That Said Special Municipal Election Be Consolidated with A Statewide Election And/Or Any Other Election Held By Other Jurisdictions Within the Territory Of The City Of Emeryville, Should Another Election(s) Be Held On That Date; Requesting the County Registrar of Voters To Perform Specified Services In Connection with Said Municipal Election; Authorizing The City Manager On Behalf Of The City Of Emeryville To Reimburse The County Registrar Of Voters For Election Services Performed; And Determining How a Successful Candidate Will Be Selected If A Tie-Vote. (Sheri Hartz)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[APPROVED Resolution No. 21-76](#)
- 12.4.** [ID-2021-323](#) Appointment Of Council Members To Fill Vacancies On Local And Regional Bodies Created By Council Member Patz Resignation: (Sheri Hartz / Lorraine Leong)
Attachments: [Staff Report](#)

- 12.4.1** [ID-2021-332](#) Resolution Of The City Council Of The City Of Emeryville Appointing City Council Members To Serve On City Council Committees Commencing Immediately Through December 31, 2021, Or Until Replaced; And Amending The FY2021-22 Local Roster Of Boards, Commissions And Committees Accordingly
Attachments: [Draft Resolution](#)
[Exhibit A - Local Bodies Rosters](#)
[APPROVED Resolution No. 21-77](#)
- 12.4.2** [ID-2021-333](#) Resolution Of The City Council Of The City Of Emeryville Appointing City Representatives To County, Regional And Statewide Bodies Commencing Immediately Through December 31, 2021, Or Until Replaced; Amending The Publicly Noticed FPPC Form 806 As Required By FPPC Regulation 18702.5; And Amending The 2021 City Roster Of County, Regional And Statewide Bodies Accordingly
Attachments: [Draft Resolution](#)
[Exhibit A - Regional Bodies Rosters](#)
[APPROVED Resolution No. 21-78](#)
- 12.4.3** [ID-2021-334](#) Resolution Of The City Council Of The City Of Emeryville Appointing A City Council Member To Serve As City Council Member Liaison To The Public Art Committee Commencing Immediately Through December 31, 2021, Or Until Replaced; And Amending The FY2021-22 Local Roster Of Boards, Commissions And Committees Accordingly
Attachments: [Draft Resolution](#)
[Exhibit A - Committee Liaison Rosters](#)
[APPROVED Resolution No. 21-79](#)
- 12.5.** [ID-2021-335](#) Resolution Of The City Council Of The City Of Emeryville Appointing _____ As City Representative To Serve On The Alameda County Mosquito Abatement District Commencing Immediately And Ending December 31, 2024; Amending The Publicly Noticed FPPC Form 806 As Required By FPPC Regulation 18702.5; And Amending The 2021 City Roster Of County, Regional And Statewide Bodies Accordingly. (Sheri Hartz / Lorraine Leong)
Attachments: [Staff Report](#)
[Draft Resolution](#)
[Exhibit A - AC Mosquito Abatement District Roster](#)

- 12.6. [ID-2021-317](#) Discussion on Whether to Amend the City Council 2021 Regular Meeting Calendar. (Council Member Bauters)

Attachments: [Staff Report](#)

[City Council/Successor Agency 2021 Regular Meeting Calendar \(Final\)](#)

- 12.7. [ID-2021-309](#) Resolution Urging The Metropolitan Transportation Commission (MTC) To Immediately Program \$1.67 Billion In American Rescue Plan (ARP) Transit Funds For Use In Restoring Bay Area Transit Service And For Immediate Use. (Council Member Bauters)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[APPROVED Resolution No. 21-80](#)

13. DEPARTMENT HEAD REPORTS

- 13.1. [ID-2021-307](#) Planning Director's report on Planning Commission actions at the June 24, 2021 meeting:

- (a) Emeryville Center for the Arts. Consideration of modifications to a previously approved Conditional Use Permit and Design Review permit for 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. This project was previously approved by the Planning Commission on August 27, 2020.

The packet for the June 24, 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-2021-344](#) **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.**

July 20, 2021 City Council Meeting

- Study Session: EmeryStation Overland "Flexible Community Benefit"
- Special Meeting: Planning Commission Appointments
- Ordinance 1st Reading/Introduction: REACH Codes
- Lennar Level 4 & 5 Traffic Calming Treatments
- Mural Artist Selection

August 2021

The City Council traditionally holds no Regular City Council meetings during the month of August. There is currently a meeting scheduled for August 31st, which may be rescheduled. Check at the link below as the date gets closer.

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

www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive.1

THE NEXT REGULAR MEETING WILL BE ON TUESDAY, JULY 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.