



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 (Vacant)

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**Tuesday, October 5, 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 A DECLARED STATE OF  
EMERGENCY**

**(to continue until further notice):**

Pursuant to California Assembly Bill 361, 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/87937641421?pwd=bC9jVjMrclVnbHBtdDJDcHAzUTA0dz09>  
Passcode: 861454

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Or iPhone one-tap: 16699006833,,87937641421#,,,,\*861454#

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Or Telephone: 1 669 900 6833  
Webinar ID:879 3764 1421  
Passcode: 861454

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International Phone Numbers: <https://emeryville-org.zoom.us/j/87937641421?pwd=bC9jVjMrclVnbHBtdDJDcHAzUTA0dz09>

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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-2021-440](#) Warrants. (Brad Farmer)  
**Attachments:** [Staff Report](#)  
[Wire Transfers](#)  
[Check Register](#)
  - 10.2. [ID-2021-442](#) Action Minutes of September 13, 2021 Special Closed Session (City Council). (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
  - 10.3. [ID-2021-443](#) Action Minutes of September 13, 2021 Emeryville City Council Regular Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)

- 10.4.** [ID-2021-432](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Contract With Urban Planning Partners (UPP) In An Amount Not To Exceed \$524,033 For Preparation Of An Environmental Impact Report For The Atrium Longfellow Mixed Use Project Located At 1650 65th Street And Appropriating \$524,033 In Expenditures To Division 1725, "Planning Reimbursables", Account 80050, Professional Services, And Adding \$524,033 In Revenues To Account 58760, Planning Reimbursements. (Charles S. Bryant / Miroo Desai)

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

[Draft Resolution](#)

[Exhibit A - Professional Services Contract](#)

[APPROVED Resolution No. 21-106](#)

- 10.5.** [ID-2021-433](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Contract With Urban Planning Partners (UPP) In An Amount Not To Exceed \$142,683 For Preparation Of A Project Consistency Analysis And Environmental Impact Report Addendum Under The California Environmental Quality Act (CEQA) For A New Grocery Store At The South Bayfront Retail/Mixed Use Project Site ("Bay Street") Located At 5615 Bay Street, And Appropriating \$142,683 In Expenditures To Division 1725, "Planning Reimbursables", Account 80050, Professional Services, And Adding \$142,683 In Revenues To Account 58760, Planning Reimbursements. (Charles S. Bryant / Miroo Desai)

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

[Draft Resolution](#)

[Exhibit A - Professional Services Contract](#)

[APPROVED Resolution No. 21-107](#)

## 11. PUBLIC HEARINGS

- 11.1. [ID-2021-434](#) Ordinance Of The City Council Of The City Of Emeryville Amending The Planning Regulations At Title 9 Of The Emeryville Municipal Code To Allow Cannabis Manufacturing With A Minor Conditional Use Permit (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](#)

- 11.2. [ID-2021-435](#) Appeal By City Council Of Planning Commission’s June 24, 2021 Denial Of An Amendment To Conditional Use Permit And Design Review For The Redevelopment Of The Existing 30,000 Square Foot Vacant Building Located At 4060 Hollis Street As An Arts And Cultural Center, And Two Signs (APN: 49-618-4). (Charles S. Bryant / Miroo Desai)

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

[Project Plans](#)

[Correspondence - Vickie Jo Sowell](#)

[Late Correspondence - Nick Orton \(1\)](#)

[Late Correspondence - Nick Orton \(2\)](#)

- 11.2.1 [ID-2021-436](#) Resolution Of The City Council Of The City Of Emeryville Approving The Planning Commission’s Denial Of An Amendment To A Conditional Use Permit And Design Review Permit For The Redevelopment Of The Existing 30,000 Square Foot Vacant Building Located At 4060 Hollis Street As An Arts And Cultural Center, And Two Signs, And Denying The Project Amendment (APN: 49-618-4) (CEQA Determination: Exempt Pursuant To Public Resources Code Section 21080(b)(5) And CEQA Guidelines Section 15270(a))

**Attachments:** [Draft Resolution Approving Planning Commission Denial](#)

[APPROVED Resolution No. 21-108](#)

- 11.2.2 [ID-2021-437](#) Resolution Of The City Council Of The City Of Emeryville Disapproving The Planning Commission's Denial Of An Amendment To A Conditional Use Permit And Design Review Permit For The Redevelopment Of The Existing 30,000 Square Foot Vacant Building Located At 4060 Hollis Street As An Arts And Cultural Center, And Two Signs, And Approving The Project Amendment (APN: 49-618-4) (CEQA Determination: Exempt Pursuant To CEQA Guidelines Sections 15301 And 15332)

**Attachments:** [Draft Resolution Disapproving Planning Commission Denial](#)  
[Exhibit A - Conditions of Approval](#)

**12. ACTION ITEMS**

- 12.1.** [ID-2021-422](#) Discussion on Allowing Development Bonus Points for Mass Timber Framing in Construction. (Mohamed Alaoui / Nancy Humphrey)

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

[Attachment A](#)

[Attachment B](#)

[Late Correspondence - Matthew Solomon](#)

- 12.2.** [ID-2021-446](#) 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, Or Until Replaced; Amending The Publicly Noticed FPPC Form No. 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](#)

### 13. DEPARTMENT HEAD REPORTS

13.1. [ID-2021-438](#) Planning Director's report on Planning Commission actions at the September 23, 2021 meeting:

- (a) Two Unit Replacement, 1270 64th Street. Consideration of a Conditional Use Permit and Design Review to demolish two existing uninhabitable residential structures and replace them with two new residential structures at 1270 64th Street. [Note - This item was continued to a future meeting.]
- (b) Four-Unit Replacement, 1271 64th Street. Consideration of a Conditional Use Permit and Design Review proposal to construct four new units and demolish four existing units at a site that was previously approved to add additional floor area to an existing four-unit residential building at 1271 64th Street. [Note - This item was continued to a future meeting.]
- (c) Marketplace Redevelopment Project Parcels A, B and F. A study session on a new Final Development Plan to construct approximately 406,178 square feet of research and development space, 7,460 square feet of retail space and an 883-space parking structure on Parcels A and B, and 18 affordable housing units on Parcel F.
- (d) Bay Street Grocery Store. A study session to review a proposed Final Development Plan to construct a new 48,446 square foot grocery store with open rooftop parking with approximately 139 parking spaces on Parcel B of the South Bayfront Retail/Mixed Use Project ("Bay Street"), and demolition of the existing building housing the EQ3 furniture store and other retail stores, and that formerly housed the Old Navy store and Elephant Bar restaurant. The project will involve removal of the existing plaza area in front of the Barnes and Nobles bookstore to accommodate ground level parking and vehicular circulation.

The packet for the September 23, 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-2021-456](#) **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.**

#### October 19, 2021 City Council Meeting

- Study Session: Bay Street Grocery Store
- Proclamation: United Against Hate Week
- Annual Art Show Purchase Award
- East Bay Community Energy (EBCE) Municipal Energy Service Level

#### November 2, 2021 City Council Meeting

- Study Session: Marketplace PUD (Planned Unit Development) and Development Agreements Amendments
- Consider Making Findings to Continue Remote Meetings Pursuant to AB 361

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 TUESDAY, OCTOBER 19, 2021, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608 OR VIA TELECONFERENCE IN ACCORDANCE WITH ASSEMBLY BILL 361.