



CITY OF EMERYVILLE
AGENDA
City Council

Emeryville City Hall
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Emeryville, CA 94608
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(510) 450-7831 fax
www.emeryville.org

Members:

Mayor John J. Bauters
Vice Mayor Ally Medina
Council Member Scott Donahue
Council Member Dianne Martinez
Council Member Courtney Welch

-- AMENDED --

Tuesday, June 21, 2022

7:16 PM

Teleconference

A complete copy of the agenda packet is available on the city's website at www.emeryville.org/citycouncil. 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 www.emeryville.org/citycouncil.

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 www.emeryville.org/notifyme. 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 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. 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/83591230946?pwd=eXU4eUFDdlhORUwyTy9CYktjUm16dz09>

Passcode: 427326

*iPhone one-tap: US +16699006833,,83591230946#,,, *427326#*

Telephone: US +1 669-900-6833

Webinar ID: 835 9123 0946

Passcode: 427326

International Phone Numbers: <https://emeryville-org.zoom.us/j/83591230946>

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**
 - 4.1. [ID-2022-352](#) Proclaiming The Month Of June 2022 As Elder Abuse Awareness Month.
(Mayor John J. Bauters)
Attachments: [Proclamation](#)
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-2022-328](#) Warrants. (Brad Farmer)
Attachments: [Staff Report City](#)
[Wire Transfers City](#)
[Check Register City](#)
 - 10.2. [ID-2022-332](#) Action Minutes Of The June 7, 2022, Special City Council / City Of Emeryville As Successor Agency To The Emeryville Redevelopment Agency Closed Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.3. [ID-2022-333](#) Action Minutes Of The June 7, 2022, Special Study Session. (Sheri Hartz)
Attachments: [Action Minutes](#)
 - 10.4. [ID-2022-336](#) Action Minutes Of The June 7, 2022, Regular City Council Meeting. (Sheri Hartz)
Attachments: [Action Minutes](#)

- 10.5.** [ID-2022-312](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Submit An Application For Volkswagen Environmental Mitigation Trust Funds, Execute Certain Assurances, and Administer Funds. (Pedro Jimenez / Kim Burrowes)
- Attachments:** [Staff Report](#)
 [Draft Resolution](#)
 [Trust Fund Guidelines](#)
- 10.6.** [ID-2022-311](#) Resolution Of The City Council Of The City Of Emeryville Authorizing A Third Amendment Of The Professional Services Contract With West Coast Code Consultants (WC3) For Fiscal Year 2021-2022 For Building Division Services In An Amount Of \$500,000 To Cover Expanded Services For A Total Amount Not To Exceed \$3,475,494 And Increasing Revenues And Expenditures In The Building Division Budget For Fiscal Year 2021-2022. (Charles S. Bryant / Victor R. Gonzales)
- Attachments:** [Staff Report](#)
 [Draft Resolution](#)
 [Exhibit A - Third Amendment to Contract with WC3](#)
- 10.7.** [ID-2022-298](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Contract With West Coast Code Consultants For A Total Amount Not To Exceed \$1,137,074 For Providing Building Division Services For The City Of Emeryville During Fiscal Years 2022-2023. (Charles S. Bryant / Victor Gonzales)
- Attachments:** [Staff Report](#)
 [Draft Resolution](#)
 [Exhibit A - Contract](#)
- 10.8.** [ID-2022-300](#) Resolution Of The City Council Of The City Of Emeryville Adopting The 2022 Housing Affordability Table Pursuant To The Affordable Housing Program (Article 4 Of Chapter 5 Of The Planning Regulations). (Charles S. Bryant / Chadrick Smalley / Valerie F. Bernardo)
- Attachments:** [Staff Report](#)
 [Attachment 1 - State HCD Income Limits Release for 2022](#)
 [Draft Resolution](#)
 [Exhibit A - 2022 Housing Affordability Table](#)

- 10.9.** [ID-2022-302](#) Resolution Of The City Council Of Emeryville Authorizing The City Manager To Execute A Professional Services Contract With Townsend Public Affairs, Inc. To Provide Federal And State Legislative Advocacy Services For An Amount Not To Exceed \$270,000 For Fiscal Years 2022-23, 2023-24 and 2024-25. (Charles S. Bryant / Chadrick Smalley)
Attachments: [Staff Report](#)
 [Attachment 1 - Summary of 2019, 2020 and 2021 TPA Services](#)
 [Draft Resolution](#)
 [Exhibit A - Professional Services Contract](#)
- 10.10.** [ID-2022-326](#) Resolution of The City Council Of The City Of Emeryville Approving The Proposed SB 1 Project List And Appropriation For Fiscal Year 2022/2023; Reducing Fund 220 Revenues by \$19,713; Increasing Fund 220 Expenses By \$3,378; And Reducing Fund 221 Revenues By \$8,188. (Mohamed Alaoui / Ryan O'Connell)
Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Exhibit A - SB1 Project List](#)
- 10.11.** [ID-2022-301](#) Second Reading Of An Ordinance Of The City Council Of The City Of Emeryville Modifying The Expiration Date Of Ordinance No. 20-016 Related To Expedited Permitting For Temporary Outdoor Seating For Restaurants And Bars During COVID-19 Pandemic; CEQA Determination: Exempt Pursuant to California Public Resources Code Section 21080(b)(4) and State CEQA Guidelines 15269(c) and 15061(b)(3). (Charles S. Bryant)
Attachments: [Staff Report](#)
 [Attachment 1 - Staff Report from June 7, 2022](#)
 [Proposed Ordinance](#)

11. PUBLIC HEARINGS

12. ACTION ITEMS

- 12.1.** [ID-2022-339](#) City Council Consideration of Survey Results And Direction Concerning Placing A Revenue Measure On The November Ballot. (Sheri Hartz)
Attachments: [Staff Report](#)
 [Presentation on Key Findings of Voter Survey](#)
- 12.2.** [ID-2022-315](#) Christie Sites Redevelopment: (Charles S. Bryant / Chadrick Smalley / Valerie F. Bernardo)
Attachments: [Staff Report](#)

- 12.2.1.** [ID-2022-316](#) Resolution Of The City Council Of The City Of Emeryville Declaring The Properties At 5890, 5900 And 6150 Christie Avenue (APNs 49-1493-3, 49-1493-4 And 49-1493-5) As Exempt Surplus Land Pursuant To Government Code Section 54221(f)(1)(F)(ii)

Attachments: [Draft Resolution](#)

[Exhibit A - Assessor Parcel Map](#)

- 12.2.2.** [ID-2022-317](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Release Of A Request For Proposals For The Redevelopment Of 5890, 5900 And 6150 Christie Avenue (APNs 49-1493-3, 49-1493-4 And 49-1493-5)

Attachments: [Draft Resolution](#)

[Exhibit A - Draft Request for Proposals](#)

- 12.3.** [ID-2022-341](#) Consideration of Travel Authorization for Mayor Bauters and Councilmember Martinez. (Mayor Bauters)

Attachments: [Staff Report](#)

[Attachment A: Council Policy #3, Reimbursement for Approved Travel and Other Expenses](#)

[Late Correspondence - Study Tour Urban Mobility to the Netherlands](#)

- 12.4.** [ID-2022-338](#) Discussion on Whether To Add A Future Agenda Item To Consider Amending The City Council Rules Of Procedure To Authorize The Mayor To Issue Ceremonial Off-Agenda Proclamations In Recognition Of Community Members. (Mayor Bauters)

Attachments: [Staff Report](#)

[Attachment A: City Council Rules of Procedure](#)

[Attachment B: EMC Relevant Sections](#)

13. DEPARTMENT HEAD REPORTS

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

15. ADJOURNMENT

THE NEXT REGULAR MEETING WILL BE ON TUESDAY, JULY 5, 2022, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608 OR VIA TELECONFERENCE IN ACCORDANCE WITH ASSEMBLY BILL 361.

LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

[ID-2022-337](#) **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 Council meeting have been held remotely since March 17, 2020, and remain so in accordance with the Brown Act exemptions provided for by AB 361. 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 5, 2022 City Council Meeting

- Public Hearing: EmeryStation Overland
- Public Hearing: Mass Timber Construction
- Public Hearing: PBID Rate Hearing
- Calling General Municipal Election - November 8, 2022
- Visual Arts Community Grant Pilot Awards
- Adeline Sites RFP and Exemption from Surplus Lands Act

July 19, 2022 City Council Meeting

- Tree Survey Contract Award

When published, the packets for City Council meetings can be viewed online at www.emeryville.org/citycouncil.