



CITY OF EMERYVILLE AGENDA

Emeryville City Hall
1333 Park Avenue
Emeryville, CA 94608
(510) 596-4300 phone
(510) 450-7831 fax
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City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency

Members:

Chair John J. Bauters
Vice Chair Courtney Welch
Agency Member David Mourra
Agency Member Kalimah A. Priforce
Agency Member VACANT

--AMENDED--

Tuesday, January 17, 2023

7:15 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 at city_clerk@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/89268595444?pwd=VEtyZ25PYjIWWVEVFWGRtMExGa2xkZz09>
Passcode: 274805

*Or iPhone one-tap: +16694449171,,89268595444#,,, *274805#*

Or Telephone: 669-900-6833

Webinar ID: 892 6859 5444

Passcode: 274805

International Phone Numbers: <https://emeryville-org.zoom.us/j/89268595444?pwd=VEtyZ25PYjIWWVEVFWGRtMExGa2xkZz09>

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. **EX PARTE COMMUNICATIONS**
5. **PUBLIC COMMENT FOR CONSENT AGENDA / ITEMS NOT ON THE AGENDA**
6. **CONSENT CALENDAR**

- 6.1. [ID-2022-693](#) Warrants. (Bill Zenoni)

Attachments: [Staff Report Agency](#)
[Check Register Agency](#)

- 6.2. [ID-2023-009](#) Action Minutes Of The December 20, 2022, City Of Emeryville As Successor Agency To The Emeryville Redevelopment Agency Meeting. (April Richardson)

Attachments: [Action Minutes](#)

- 6.3. [ID-2022-656](#) Resolution Of The City Council Of The City Of Emeryville As Successor Agency To The Emeryville Redevelopment Agency Authorizing the Executive Director To Enter Into A Fourth Amendment to the Professional Services Contract with EKI Environment and Water, Increasing The Contract Amount By \$205,000 To An Amount Not To Exceed \$1,162,000 For Implementation of The Groundwater Monitoring Program Required Pursuant To The Environmental Risk Management Plan For The South Bayfront Project (Bay Street Project - Site A) And Extending The Term To June 30, 2024. (Pedro Jimenez)

Attachments: [Staff Report](#)
[Professional Services Contract - EKI 3rd Amendment Site A](#)
[Draft Resolution](#)
[Professional Services Contract - 4th Amendment](#)
[EKI Site A Fourth Amendment Proposal](#)
[APPROVED Resolution No. SA01-23](#)

- 6.4.** [ID-2022-673](#) Resolution Of The City Council Of The City Of Emeryville As Successor Agency To The Emeryville Redevelopment Agency Authorizing the Executive Director To Enter Into A Sixteenth Amendment to the Professional Services Contract with EKI Environment and Water, Increasing The Contract Amount By \$240,000 To An Amount Not To Exceed \$15,993,000 For Implementation of The Groundwater Monitoring Program Required Pursuant To The Environmental Risk Management Plan For The South Bayfront Project (Bay Street Project - Site B And Extending The Term To June 30, 2024. (Pedro Jimenez)

Attachments: [Staff Report](#)
 [Professional Services Contract - 15th Amendment](#)
 [Draft Resolution](#)
 [Professional Services Contract - 16th Amendment](#)
 [Exhibit A - Site B Exhibit A Proposal ROPS 2023-2024](#)
 [APPROVED Resolution No. SA02-23](#)

- 6.5.** [ID-2022-686](#) Resolution Of The City Of Emeryville As Successor Agency To The Emeryville Redevelopment Agency Authorizing The Executive Director To Enter Into A Second Amendment To The Professional Services Agreement With EKI Environment & Water, Inc., In An Amount Of \$44,090,000 For Environmental Engineering Services During The ROPS 23-28 Cycle For Soil And Groundwater Remediation At The Corporation Yard Site, 5679 Horton Street, Emeryville, CA, Pursuant To That Certain Imminent And Substantial Endangerment Order Issued To The Successor Agency By The California Department Of Toxic Substances Control And The Feasibility Study/Draft Remedial Action Plan (FS/DRAP) to Remediate the Site, For A Total Contract Amount of \$44,090,000. (Pedro Jimenez)

Attachments: [Staff Report](#)
 [Professional Services Contract - 1st Amendment](#)
 [Draft Resolution](#)
 [Professional Services Contract - 2nd Amendment](#)
 [EKI Exhibit A- two Proposal FMW 2023-2028 ROPS](#)
 [APPROVED Resolution No. SA03-23](#)

7. ACTION ITEMS

- 7.1. [ID-2023-001](#) Resolution Of The City Of Emeryville As Successor Agency To The Emeryville Redevelopment Agency Approving And Adopting The Administrative Budget And Recognized Obligation Payment Schedule For The Period Of July 1, 2023 Through June 30, 2024 (ROPS 23-24) Pursuant To Section 34177 Of The California Health And Safety Code. (John Kennedy)

Attachments: [Staff Report](#)

[Attachment A – Map of South Bayfront Site A, Site B and Corporation Yard](#)

[Presentation - Emeryville Oversight Board ROPS 23-24](#)

[Draft Resolution](#)

[Exhibit A – Administrative Budget 23-24](#)

[Exhibit B – Recognized Obligation Payment Schedule July 1, 2023 through June 30, 2024 \(ROPS 23-24\)](#)

[APPROVED Resolution No. SA04-23](#)

- 7.2. [ID-2022-688](#) Resolution Of The City Council Of The City Of Emeryville As Successor Agency To The Emeryville Redevelopment Agency (“Successor Agency”) Making Required Findings To Allow The Continuation Of Remotely Held Meetings Of The Successor Agency, Pursuant To AB 361. (April Richardson)

(In Conjunction With MESA Agenda Item 6.1 And City Council Agenda Item 12.2)

Attachments: [Staff Report](#)

[Draft Resolution](#)

[APPROVED Resolution No. SA05-23](#)

8. ADJOURNMENT

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency.

**/s/ April Richardson, CMC
Secretary**