



Emeryville City Hall  
1333 Park Avenue  
Emeryville, CA 94608  
(510) 596-4300 phone  
(510) 450-7831 fax  
www.emeryville.org

## CITY OF EMERYVILLE

### ACTION MINUTES

#### City Council

Members:

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

#### Special Study Session

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Tuesday, April 19, 2022

6:15 PM

Teleconference

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#### 1. CALL TO ORDER

The meeting convened via teleconference at 6:15 p.m. and the Mayor read aloud a statement announcing that the meeting was being conducted by teleconference pursuant to the extension of Brown Act waivers provided for under Assembly Bill 361, as would subsequent meetings so long as the City Council could make findings that it was necessary in order to protect public safety and the Governor's declared emergency remained in effect.

#### 2. ROLL CALL

**Present:** 5 - Mayor John J. Bauters  
Vice Mayor Ally Medina  
Council Member Scott Donahue  
Council Member Dianne Martinez  
Council Member Courtney Welch

#### 3. APPROVAL OF FINAL AGENDA

**A motion was made by Vice Mayor Medina, seconded by Council Member Welch, to approve the Final Agenda. The motion carried by the following vote:**

**Ayes:** 5 - Mayor Bauters, Vice Mayor Medina, Council Member Donahue, Council Member Martinez, and Council Member Welch

#### 4. EX PARTE COMMUNICATIONS

Council Member Donahue reported having met with the Marketplace Development team; Council Member Martinez reported meeting with Rich Robbins and other Wareham representatives; Council Member Welch and Vice Mayor Medina also reported having met with Mr. Robbins, and Mayor Bauters stated he had met with Wareham representatives and Mark Stephan, and advised that the entire Council

had received late correspondence from Matthew D. Francois, Rutan & Tucker.

## 5. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

1. Brian Donahue spoke regarding parking in bike lanes.

## 6. STUDY SESSION

- 6.1. [ID-2022-192](#) Study Session - Marketplace Redevelopment Project Parcels A, B And F. (Charles S. Bryant / Miroo Desai / Chadrick Smalley)

Attachments: [Staff Report](#)

[Attachment 1 - Excerpts from September 2, 2021 FDP Plans](#)

[Attachment 2 - Wareham Letter Dated April 4, 2022](#)

[Late Correspondence - Rutan and Tucker, LLP](#)

Senior Planner Miroo Desai and Economic Development and Housing Manager Chad Smalley gave the staff presentation, which was followed by the applicant presentation given by Mark Stefan, CCRP; Lauren Krause, Oxford Development; and Tom Fortier and Rafael Gavilanes, HDR, and responses were provided to Council Member questions.

### PUBLIC COMMENT:

1. Parissa Peymani spoke in support of the project design, but stated that the placement of affordable housing atop the Parcel A building would obstruct the views of she and her neighbors.
2. Brian Donahue spoke in opposition to the project being approved, stating that the developer was dishonestly claiming financial infeasibility of what was previously promised.

Council discussion ensued, and it was approved that Mayor Bauters and Vice Mayor Medina would form an ad hoc committee to negotiate on the terms of the agreement and bring a recommendation back to the full Council at a future meeting.

## 7. ADJOURNMENT

The meeting adjourned at 7:05 p.m.

**I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Emeryville City Council.**

/s/ Sheri Hartz, CMC  
City Clerk