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CITY OF EMERYVILLE

ACTION MINUTES

City Council

Members:

Mayor Dianne Martinez
Vice Mayor Scott Donahue
Council Member John J. Bauters
Council Member Ally Medina
Council Member Christian R. Patz

--AMENDED--

Tuesday, June 15, 2021

7:16 PM

Teleconference

1. CALL TO ORDER

The meeting convened via teleconference at 7:34 p.m. The Mayor had previously read aloud a statement announcing that the meeting was being conducted by teleconference pursuant to the Brown Act waivers provided for under the Governor's Executive Order in response to the COVID-19 State of Emergency.

2. ROLL CALL

Present: 5 - Mayor Dianne Martinez
Vice Mayor Scott Donahue
Council Member John J. Bauters
Council Member Ally Medina
Council Member Christian R. Patz

3. APPROVAL OF FINAL AGENDA

A motion was made by Vice Mayor Donahue, seconded by Mayor Martinez, to approve the Final Agenda. The motion carried by the following vote:

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

4. SPECIAL ORDERS OF THE DAY

There were no Special Orders listed.

5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES

No announcement was given.

6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS / REPORTS ON MEETING ATTENDANCE

Mayor Martinez expressed her thanks to Council Member Patz on the occasion of it being his last City Council meeting. She wished him well on behalf of the entire City Council, and the other Council Members also conveyed their best wishes.

7. CITY MANAGER'S REPORT

City Manager Daniel expressed her thanks to Council Member Patz for his service on the Council, and on behalf of City staff and the entire city.

8. EX PARTE COMMUNICATIONS

Council Members Bauters and Medina each disclosed having had communications with representatives from Cal Bike and other stakeholders regarding Item 12.2.

9. PUBLIC COMMENT FOR CONSENT AGENDA / ITEMS NOT ON THE AGENDA

1. Brian Donahue made disparaging comments regarding Community Development Director Charles Bryant.

Mayor Martinez took a point of personal privilege to state that she did not want staff to be maligned in City Council meetings and that she did not believe Mr. Donahue's comments regarding Mr. Bryant were factual.

10. CONSENT ITEMS

Approval of the Consent Agenda

A motion was made by Council Member Bauters, seconded by Mayor Martinez, to approve the Consent Agenda. The motion carried by the following vote:

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

10.1. [ID-2021-285](#) Warrants. (Brad Farmer)

Attachments: [Staff Report](#)
[Wire Transfers](#)
[Check Register](#)

A motion was made to accept this Informational Report.

10.2. [ID-2021-290](#) Action Minutes of June 1, 2021 Special Closed Session (City Council / City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency). (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.3. [ID-2021-291](#) Action Minutes of June 1, 2021 Emeryville City Council Special Study Session. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.4. [ID-2021-292](#) Action Minutes of June 1, 2021 Emeryville City Council Regular Meeting. (Sheri Hartz)

Attachments: [Action Minutes](#)

A motion was made to approve the Minutes.

- 10.5. [ID-2021-276](#) Building Division Professional Services Contracts. (Charles S. Bryant / Victor R. Gonzales)

Attachments: [Staff Report](#)

A motion was made to approve this Other Item.

- 10.5.1 [ID-2021-277](#) 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 \$1,133,700 For Providing Building Division Services For The City Of Emeryville During Fiscal Year 2021-2022

Attachments: [Draft Resolution](#)

[Exhibit A - WC3 Contract](#)

[APPROVED Resolution No. 21-63](#)

A motion was made to approve this Resolution.

Enactment No: Resolution No. 21-63

- 10.5.2 [ID-2021-278](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Contract With Interwest Consulting Group For A Total Amount Not To Exceed \$150,000 For Providing Building Division Services For The City Of Emeryville During Fiscal Year 2021-2022

Attachments: [Draft Resolution](#)

[Exhibit A - Interwest Contract](#)

[APPROVED Resolution No. 21-64](#)

A motion was made to approve this Resolution.

Enactment No: Resolution No. 21-64

- 10.6. [ID-2021-227](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Contract With Fehr and Peers In An Amount Not To Exceed \$133,397 For Preparation Of A Transportation Impact Assessment For The EmeryStation Overland Project Located At 1580 62nd Street And Appropriating \$33,397 In Expenditures To Division 1725, "Planning Reimbursables", Account 80050, Professional Services, And \$33,397 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. 21-65](#)

A motion was made to approve this Resolution.

Enactment No: Resolution No. 21-65

- 10.7. [ID-2021-279](#) Resolution Of The City Council Of The City Of Emeryville Adopting The 2021 Housing Affordability Table Pursuant To The Affordable Housing Program (Article 4 Of Chapter 5 Of The Planning Regulations). (Charles S. Bryant / Chadrick Smalley / Valerie Bernardo)

Attachments: [Staff Report](#)

[Attachment 1 - HCD 2021 Income Limits](#)

[Draft Resolution](#)

[Exhibit A - 2021 Affordability Table](#)

[APPROVED Resolution No. 21-66](#)

A motion was made to approve this Resolution.

Enactment No: Resolution No. 21-66

- 10.8. [ID-2021-240](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager Or Designee To 1) Enter Into A Cooperative Implementation Agreement With Caltrans To Receive Grant Funds To Construct The Emery Street Area Hydrodynamic Separator Project, And 2) Accept And Appropriate Funding From Caltrans For This Project In An Amount Up To Six Hundred Eighty Thousand Dollars; CEQA Determination: Exempt Pursuant to CEQA Guideline Section 15301. (Mary Grace Houlihan / Nancy Humphrey)

Attachments: [Staff Report](#)
[Draft Caltrans Agreement](#)
[Draft Resolution](#)
[APPROVED Resolution No. 21-67](#)

A motion was made to approve this Resolution.

Enactment No: Resolution No. 21-67

11. PUBLIC HEARINGS

There were no Public Hearings listed.

12. ACTION ITEMS

- 12.1. [ID-2021-280](#) Informational Report on Construction Noise Waivers (Charles S. Bryant)

Attachments: [Staff Report](#)
[Table of Construction Noise Waivers 2019 to Present](#)

Community Development Director Bryant gave a staff report and responded to Council Member questions.

- 12.2. [ID-2021-282](#) Resolution Of The City Council Of The City Of Emeryville In Support Of Assembly Bill 122 - (Boerner-Horvath), Bike Safety At Stop Signs. (Council Member Medina)

Attachments: [Staff Report](#)
[Draft Letter of Support](#)
[Draft Resolution](#)
[Text of Bill](#)
[APPROVED Resolution No. 21-68](#)

Council Member Medina gave a brief report on why she had requested the agenda item and recommended that the Council approve the resolution.

A motion was made by Council Member Medina, seconded by Council Member Bauters, to approve this Resolution. The motion carried by the following vote:

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

Enactment No: Resolution No. 21-68

13. DEPARTMENT HEAD REPORTS

No reports were given.

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

Council Member Bauters requested and received majority support to

place two items on the July 6, 2021 agenda:

1. A resolution urging MTC to release ARP funding in the current fiscal year.
2. A conversation regarding potential amendments to the City Council meeting calendar.

15. ADJOURNMENT

The meeting adjourned at 8:10 p.m.

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

/Sheri Hartz/

Sheri Hartz, City Clerk