

## RESOLUTION NO. 25-109

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EMERYVILLE APPROVING THE PROJECT DESCRIPTION AS SET FORTH IN ATTACHMENT A FOR THE 40TH STREET MULTIMODAL PROJECT; AND DIRECTING STAFF TO RETURN THIS PROJECT TO THE CITY COUNCIL FOR CONSIDERATION FOLLOWING THE COMPLETION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW AND THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PROCESS**

**WHEREAS**, the 40th Street Multimodal Project (“Project”) is an initiative undertaken by the City of Emeryville to improve transportation for bus riders, pedestrians, and cyclists; and

**WHEREAS**, the Project has been developed over several years through a deliberate, phased process with extensive community engagement and multiple City Council actions; and

**WHEREAS**, the City Council formally approved the conceptual design for the Project on March 3, 2020 (Resolution No. 20-017) and at that time made an initial determination that the Project was exempt from the California Environmental Quality Act (CEQA); and

**WHEREAS**, as the design and funding strategy progressed, the City Council took several key actions on July 18, 2023 (Resolution No. 23-105, 23-106, 23-107, and 23-108), to significantly refine and expand the Project's design concept and scope to include:

- Approved the design concepts for the full closure of Hubbard and Haven Streets and the partial closure of Holden and Watts Streets.
- Formally incorporated the Shellmound Street segment (known as Part 2: Bay Trail Gap Closure) into the original Project scope, creating the single, unified 40th Street Multimodal Project as it is programmed today.
- Authorized amendments to the design contract with Diablo Engineering Group to advance the engineering for these expanded scopes; and

**WHEREAS**, to date, the City has been awarded \$31.9 million of outside grant funding toward the Project’s \$34.1 million total estimated cost; and

**WHEREAS**, a \$850,000 Federal Earmark through the FY2024 HUD Appropriations Bill was formally accepted by the City Council on July 15, 2025 (Resolution No. 25-079) and the acceptance of these federal funds triggered the requirement for the project to undergo environmental review under the National Environmental Policy Act (NEPA); and

**WHEREAS**, the City is the lead agency for CEQA review purposes and will prepare the environmental document which fully analyzes and addresses any potential environmental impacts of the Project and will concurrently complete the NEPA process with Caltrans; and

**WHEREAS**, both designs for Part 1 (40th Street) and Part 2 (Shellmound Street) are now 95% complete, positioning the Project to be ready to proceed towards Project approval and construction bidding once environmental review processes have been completed; and

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**WHEREAS**, staff has since completed two comprehensive reports in August 2025 to further refine the Project description and design: the updated Technical Memorandum and a new Truck Activity Analysis Memo; and

**WHEREAS**, these studies were undertaken to provide a robust, data-driven validation of the design concepts, which included the City Council directed partial and full closures of certain side streets, and the key findings of these reports confirm that the Project description is ready for approval by the City Council; and

**WHEREAS**, if the City Council approves the Project description, staff will use this approved design to complete the CEQA review for the Project; and

**WHEREAS**, the Project description proposed is based on the July 2023 design concept previously approved by Council and supplemented by additional studies:

“The project would enhance existing infrastructure on 40<sup>th</sup> Street (Adeline Street to IKEA Entrance) and Shellmound Street (IKEA Entrance to Christie Avenue) through the construction of 1.4 miles of two-way separated Class IV bikeway, transit-only lanes, transit islands, pedestrian enhancements, a transit hub with complete street intersection improvements, and closing the unsignalized intersections of Hubbard Street and Haven Street on the north side of 40<sup>th</sup> Street, partial southbound closures at the unsignalized intersections of Holden Street and Watts Street on the north side of 40<sup>th</sup> Street per the Emeryville City Council Resolution 23-105, 23-106, 23-107, and 23-108 (July 18, 2023).

Project features would consist of realigning the existing lanes, removing and replacing medians, rehabilitating the pavement surface, restriping, installing green stormwater infrastructure improvements, upgrading street lighting, and reconstructing pedestrian infrastructure to accommodate a two-way separated Class IV bikeway, new sidewalk, and concrete bus pads.

40<sup>th</sup> Street (Adeline Street to IKEA Entrance) improvements would include:

- Lane realignment to accommodate two-way separated Class IV bikeway on the north edge of the roadway.
- Thin grind and asphalt concrete overlay.
- Asphalt concrete conforms adjacent to new concrete work.
- Full depth pavement reconstruction in areas of new islands for bikeway separation.
- Removal of existing roadway improvements as needed.
- Construction of sidewalk on Hubbard Street.
- Multi-use pathway connection between Hubbard Street and Halleck Street up to 4.5 feet in height.
- Addition of concrete bus pads at bus stops.

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Shellmound Street (IKEA Entrance to Christie Avenue) improvements would include:

- Lane realignment to accommodate two-way separated Class IV bikeway on the west edge of the roadway.
- Thin grind and asphalt concrete overlay.
- Asphalt concrete conforms adjacent to new concrete work.
- Roadway improvements, including excavation to a maximum depth of one foot below existing grade.
- Addition of one concrete bus pad at one bus stop.”; and

**WHEREAS**, staff recommends that the City Council formally approve the Project description; and

**WHEREAS**, Staff further recommends that the City Council provide direction to undertake the CEQA review for the Project and to bring it back for final consideration once CEQA review and the NEPA process are complete; now, therefore, be it

**RESOLVED**, by the City Council of the City of Emeryville that the Project description as set forth in Attachment A for the 40<sup>th</sup> Street Multimodal Project is hereby approved; and, be it, further

**RESOLVED**, by the City Council of the City of Emeryville that staff is directed to undertake, complete, and finalize CEQA review for the Project and return the Project to the City Council for consideration following the completion of the CEQA and NEPA environmental review processes.

