



CITY OF EMERYVILLE  
**AGENDA**  
City Council

Emeryville City Hall  
1333 Park Avenue  
Emeryville, CA 94608

(510) 596-4300 phone  
(510) 450-7831 fax

[www.emeryville.org](http://www.emeryville.org)

Members:

Dianne Martinez Mayor  
Scott Donahue Vice Mayor  
Jac Asher Council Member  
Ruth Atkin Council Member  
Nora Davis Council Member

AMENDED AGENDA

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**Tuesday, September 20, 2016**

**7:16 PM**

**Council Chambers**

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A COMPLETE COPY OF THE AGENDA PACKET IS AVAILABLE FOR PUBLIC VIEWING IN THE CITY CLERK'S OFFICE AT 1333 PARK AVENUE, AND THE GOLDEN GATE BRANCH OF THE OAKLAND PUBLIC LIBRARY, 5433 SAN PABLO AVENUE. ADDITIONAL PUBLIC VIEWING & REPRODUCTION AT THE UPS STORE, 2340 POWELL STREET, FROM THE FRIDAY 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 AT THE INFORMATION COUNTER AT CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CALIFORNIA DURING NORMAL BUSINESS HOURS (9AM TO 5PM., MONDAY THROUGH FRIDAY, EXCLUDING LEGAL HOLIDAYS). 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 AND RELATED MEETINGS ACCORDING TO THE PUBLISHED ETV SCHEDULE OF PROGRAMS. THESE MEETINGS WILL ALSO BE AVAILABLE THROUGH LIVE MEDIA STREAMING ACCESSIBLE FROM THE CITY OF EMERYVILLE WEBSITE AT [HTTP://WWW.EMERYVILLE.ORG](http://WWW.EMERYVILLE.ORG).

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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.

The speaker's time is limited to 3 minutes and can only be extended upon approval of the Presiding Officer. Any person who desires to address the City Council on any item listed on the Agenda under the Consent Calendar, or on a matter not on the Agenda which item is within the subject matter jurisdiction of the City Council, may do so during that portion of the Agenda called Public Comment.

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.

No dogs, cats, birds or any other animal or fowl shall be allowed at or brought in to a public meeting by any person except (i) as to members of the public or City staff utilizing the assistance of a service animal, which is defined as a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability, or (ii) as to police officers utilizing the assistance of a dog(s) in law enforcement duties.

The AGENDA for this regular meeting is as follows:

## **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

## **2. ROLL CALL**

## **3. SPECIAL ORDERS OF THE DAY**

- 3.1. [ID-2016-580](#) Proclamation Of The City Council Of The City Of Emeryville  
Proclaiming The Month Of October, 2016 as "Domestic Violence  
Awareness Month" in the City of Emeryville. (Mayor Dianne Martinez  
/ Jennifer Tejada)

Attachments: [Proclamation](#)

## **4. PUBLIC COMMENTS**

## **5. CITY MANAGER'S REPORT**

## **6. EX PARTE COMMUNICATIONS**

## **7. CONSENT ITEMS**

- 7.1. [ID-2016-566](#) Warrants. (Susan Hsieh)

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

- 7.2. [ID-2016-543](#) Action Minutes of the August 16, 2016 Emeryville City Council /  
Management of Emeryville Services Authority Special Closed  
Session Meeting. (Sheri Hartz)

- Attachments:** [Action Minutes](#)
- 7.3. [ID-2016-572](#) Action Minutes of the September 6, 2016 Emeryville City Council Special Closed Session Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 7.4. [ID-2016-569](#) Action Minutes of the September 6, 2016 Emeryville City Council Special Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 7.5. [ID-2016-570](#) Action Minutes of the September 6, 2016 Emeryville City Council Special Study Session Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 7.6. [ID-2016-568](#) Action Minutes of the September 6, 2016 Emeryville City Council Regular Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 7.7. [ID-2016-547](#) Second Reading Of An Ordinance Of The City Council Of The City Of Emeryville Amending Article 6 Of Chapter 4 Of Title 9 Of The Emeryville Municipal Code Regarding Water Efficient And Bay Friendly Landscaping; CEQA DETERMINATION: Exempt Pursuant to CEQA Guidelines 15307 and 15061(b)(3) (Charles S. Bryant / Diana Keena)  
**Attachments:** [Staff Report](#)  
[Ordinance](#)
- 7.8. [ID-2016-556](#) Resolution Of The City Council Of The City Of Emeryville Accepting Weavings And Waterways, A Mural By Kelly Ording On The South And West Wall Of The Teen Center At The Emeryville Center Of Community Life, As Complete (Charles S. Bryant / Chadrick Smalley / Amber Evans)  
**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Exhibit A - Image of Completed Work](#)
- 7.9. [ID-2016-548](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into An Agreement With Alameda County For The Reallocation Of Unexpended Community Development Block Grant Funds From Fiscal Year 2013-14 In An Amount Of \$54,094.68 For Expenditure In Fiscal Year 2016-17 For The Funding Of Improvements To An Existing Affordable Rental Housing Project (Charles S. Bryant / Chadrick Smalley / Catherine Firpo)  
**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Agreement](#)

- 7.10. [ID-2016-557](#) Amendment to City Council Committee Terms (Sheri Hartz)  
**Attachments:** [Staff Report](#)
- 7.11. [ID-2016-559](#) Matrix HG, Heating, Ventilation, Air Conditioning Maintenance Contract. (Richard Cunningham / Maurice Kaufman)  
**Attachments:** [Staff Report](#)
- 7.11.1. [ID-2016-560](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A First Amendment To The Maintenance Contract With Matrix HG, Inc. Increasing The Contract Amount By \$23,000 To An Amount Not To Exceed \$67,948 For Routine HVAC Maintenance Of City Owned Buildings for Fiscal Year 2015-16.  
**Attachments:** [Resolution](#)  
[First Amendment to Contract, FY 15-16](#)
- 7.11.2. [ID-2016-561](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Maintenance Contract With Matrix HG, Inc. In An Amount Not To Exceed \$83,812 For Routine HVAC Maintenance Of City Owned Buildings For Fiscal Year 2016-17.  
**Attachments:** [Resolution](#)  
[Maintenance Contract](#)  
[Exhibit A to Contract](#)
- 7.12. [ID-2016-555](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A First Amendment To The Professional Services Agreement (PSA) With Corporate Child Care, Inc., DBA Aquatic Park School, To Increase The Total Compensation by \$105,000 For A Total Amount Not To Exceed One Hundred And Fifty Thousand Dollars (\$150,000). (Cindy Montero / Pedro Jimenez).  
**Attachments:** [Staff Report](#)  
[Resolution](#)  
[First Amendment Agreement](#)  
[Original Agreement](#)

## 8. PUBLIC HEARINGS

- 8.1. [ID-2016-563](#) Resolution Of The City Council Of The City Of Emeryville Approving An Amendment To The Conditions Of Approval Of A Conditional Use Permit To Add Square Footage To Two Previously Approved New Residential Units At 5532 Doyle Street (APN: 49-1313-22); CEQA Determination: Exempt Pursuant to Sections 15302 and 15061(b)(3) of CEQA Guidelines (Charles S. Bryant / Sara Billing)

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Conditions of Approval](#)  
[Applicant Narrative and Plans](#)

## 9. ACTION ITEMS

- 9.1. [ID-2016-558](#) Minimum Wage Annual Review Status Report (Charles S. Bryant / Chadrick Smalley / April Shabazz)  
**Attachments:** [Staff Report](#)  
[Attachment 1 - Inventory of Local Minimum Wage Ordinances](#)  
[Attachment 2 - Proposal from Mills College for Emeryville Minimum Wage Imp](#)  
[Attachment 3 - Oakland Business Conditions Survey - July 2015](#)
- 9.2. [ID-2016-550](#) Resolution Of The City Council Of The City Of Emeryville Declaring The City's Intention To Increase The Sewer User Fee And Establish Procedures For Accepting Protests Pursuant To Article XIID, Section 6(a) Of The California Constitution Regarding Property-Related Fees And Charges. (Maurice Kaufman / Keely Nelson)  
**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Exhibit A - 2016 Sewer Rate Study.pdf](#)  
[Exhibit B - Guidelines for the Submission and Tabulation of Protests](#)
- 9.3. [ID-2016-564](#) Introduction and First Reading of an Ordinance of the City Council of the City of Emeryville Adding Sections 08 through 10 of Chapter 2 of Title 1, Adding Chapter 7 of Title 1 of the Emeryville Municipal Code, "Administrative Citations and Summary Abatement" and Amending Section 5.37-07 of the Emeryville Municipal Code; CEQA Determination: Exempt Pursuant to Sections 15061(b)(3) and 15378(a)  
**Attachments:** [Staff Report](#)  
[Ordinance](#)
- 9.4. [ID-2016-551](#) Shellmound District Public Art Plan And Revised Shellmound/Powell Street Bridge Public Art Installation (Charles S. Bryant / Chadrick Smalley / Amber Evans)  
**Attachments:** [Staff Report](#)
- 9.4.1. [ID-2016-552](#) Resolution Of The City Council Of The City Of Emeryville Accepting The Revised Proposal From R&R Studios For The Shellmound/Powell Street Bridge Public Art Installation And Authorizing The City Manager To Enter Into A First Amendment To The Agreement With R&R Studios Revising The Scope Of Work And Schedule For The Shellmound/Powell Street Bridge Public Art

## Project

**Attachments:** [Resolution](#)[Exhibit A - Shellmound District Gateway Proposal](#)[Exhibit B - Contract Amendment](#)

- 9.4.2.** [ID-2016-553](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Shellmound District Public Art Plan

**Attachments:** [Resolution](#)[Exhibit A - Shellmound District Public Art Plan \(large file\)](#)

- 9.5.** [ID-2016-549](#) Consideration of League of California Cities Annual Conference Resolutions Packet (Sheri Hartz)

**Attachments:** [Staff Report](#)[2016 Annual Conference Resolutions Packet](#)**10. COMMUNICATION AND REPORTS*****10.1. Department Heads***

- 10.1.1.** [ID-2016-562](#) Emeryville Police Department 2nd Quarter Report. (Jennifer Tejada)

**Attachments:** [Staff Report](#)***10.2. Council Members******10.3. Council Members Reporting on Meetings Attended*****11. COMMUNITY ADVISORY BODY VACANCIES****12. ADJOURNMENT****13. HANDOUTS FROM THE MEETING**

THE NEXT REGULAR MEETING WILL BE ON OCTOBER 18, 2016, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608