



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:

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

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**Tuesday, June 20, 2017**

**7:16 PM**

**Council Chambers**

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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 <http://www.emeryville.org> and clicking on "Notify Me". 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.

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 animals 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 COUNCIL MEMBER OATH AND SONG**

**3. APPROVAL OF FINAL AGENDA**

**4. SPECIAL ORDERS OF THE DAY**

- 4.1. [ID-2017-435](#) Proclamation Of The City Council Of The City Of Emeryville  
Recognizing June As LGBT Pride Month In The City Of Emeryville.  
(Vice Mayor John Bauters)

Attachments: [Proclamation](#)

- 4.2. [ID-2017-439](#) Proclamation Of The City Council Of The City Of Emeryville  
Proclaiming The Month Of July 2017 As "Parks Make Life Better!" In  
The City Of Emeryville. (Pedro Jimenez)

Attachments: [Proclamation](#)

**5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES**

**6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS**

**7. PUBLIC COMMENT FOR CONSENT AGENDA / ITEMS NOT ON THE AGENDA**

**8. CITY MANAGER'S REPORT**

**9. EX PARTE COMMUNICATIONS**

**10. CONSENT ITEMS**

- 10.1. [ID-2017-418](#) Warrants. (Susan Hsieh)  
**Attachments:** [Staff Report City](#)  
[Wire Transfers City](#)  
[Check Register City](#)
- 10.2. [ID-2017-417](#) Action Minutes of the May 16, 2017 Emeryville City Council/Planning Commission Special Joint Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 10.3. [ID-2017-401](#) Action Minutes of the June 6, 2107 City Council Special Study Session. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 10.4. [ID-2017-403](#) Action Minutes of the June 6, 2017 Emeryville City Council Meeting. (Sheri Hartz)  
**Attachments:** [Action Minutes](#)
- 10.5. [ID-2017-383](#) Resolution Of The City Council Of The City Of Emeryville Adopting A Policy On The Delegation Of Authority Regarding Claims And Actions Against The City Of Emeryville And Claims And Actions Of The City Of Emeryville; And Rescinding Resolution No. 13-154. (Michael Guina)  
**Attachments:** [Staff Report](#)  
[Resolution](#)  
[APPROVED Resolution No. 17-89](#)
- 10.6. [ID-2017-406](#) Resolution Of The City Council Of The City Of Emeryville Transferring The Corporation Yard Real Property Asset Located At 5679 Horton Street To The City Of Emeryville As Successor Agency To The Emeryville Redevelopment Agency Pursuant To California Health & Safety Code Section 34167.5. (Michael Guina)  
**(In Conjunction With Successor Agency Item 5.4.)**  
**Attachments:** [Staff Report](#)  
[Resolution](#)  
[APPROVED Resolution No. 17-90](#)
- 10.7. [ID-2017-422](#) Resolution Of The City Council Of The City Of Emeryville Adopting The Annual Statement Of Investment Policy And Delegation Of Authority To The Treasurer (Susan Hsieh)  
**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Draft Statement of Investment Policy](#)  
[Statement of Investment Policy - Clean Version](#)  
[APPROVED Resolution No. 17-91](#)

- 10.8.**     [ID-2017-404](#)     Resolution Of The City Council Of The City Of Emeryville Accepting A Donation In The Amount Of \$10,000 From The Wareham Property Group To The City Of Emeryville Police Department To Subsidize The Purchase Of Automated External Defibrillators (AED) And Appropriating Said Funds When Received To Account 254-62600 (Oliver Collins)
- Attachments:**   [Staff Report](#)  
                         [Resolution](#)  
                         [Civil Code Section 1714.21](#)  
                         [AED Law Chapter 1.8 Civil Code](#)  
                         [APPROVED Resolution No. 17-92](#)
- 10.9.**     [ID-2017-388](#)     Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A First Amendment To The Alameda County Fire Department Agreement To Extend Fire And Emergency Response Services (Cindy Montero)
- Attachments:**   [Staff Report](#)  
                         [Resolution](#)  
                         [First Amendment Fire Service Agreement](#)  
                         [Original Contract with Alameda County Fire](#)  
                         [APPROVED Resolution No. 17-93](#)
- 10.10.**   [ID-2017-349](#)     Resolution   Of The City Council Of The City Of Emeryville Adopting The Fiscal Year 2017/18 Living Wage Rate Pursuant To The City Of Emeryville's Living Wage Ordinance, Chapter 31 Of Title 5 Of The Emeryville Municipal Code. (Lisa Lopez)
- Attachments:**   [Staff Report](#)  
                         [Resolution](#)  
                         [APPROVED Resolution No. 17-94](#)
- 10.11.**   [ID-2017-378](#)     Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To File An Application For Funding Assigned To The Metropolitan Transportation Commission, Committing Any Necessary Matching Funds, And Assuring Completion Of The Frontage Road, 65th Street, And Powell Street Slurry Seal Project (Charles S. Bryant / Chadrick Smalley / Amber Evans)
- Attachments:**   [Staff Report](#)  
                         [Resolution](#)  
                         [APPROVED Resolution No. 17-95](#)

- 10.12.** [ID-2017-379](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Professional Services Agreement With Townsend Public Affairs, Inc. To Provide Federal And State Lobbying Services For An Amount Not To Exceed \$90,000 For Fiscal Year 2017-18 (Charles S. Bryant / Chadrick Smalley)

**Attachments:** [Staff Report](#)

[Resolution](#)

[Exhibit A - Professional Services Agreement](#)

[APPROVED Resolution No. 17-96](#)

- 10.13.** [ID-2017-380](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The Continued Participation Of The City Of Emeryville In The Alameda County Urban County For Community Development Block Grant Funds And Authorizing The Execution Of The Cooperation Agreement Between The City And County Of Alameda Regarding Participation In The Alameda County Urban County For Community Block Grant Program Funds (Charles S. Bryant / Chadrick Smalley / Catherine Firpo)

**Attachments:** [Staff Report](#)

[Resolution](#)

[Cooperative Agreement FY 18-20](#)

[APPROVED Resolution No. 17-97](#)

- 10.14.** [ID-2017-381](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Funding Agreement With Emeryville Citizens Assistance Program (ECAP) In The Amount Of \$66,884.88 To Support Food And Clothing Distribution To The Homeless And Near-Homeless For Fiscal Year 2017-18 (Charles S. Bryant / Chadrick Smalley)

**Attachments:** [Staff Report](#)

[Resolution](#)

[Attachment 2 - Funding Agreement](#)

[Attachment 3 - ECAP Final Report FY 16-17](#)

[Attachment 4 - ECAP Grant Request FY 17-18](#)

[APPROVED Resolution No. 17-98](#)

- 10.15.** [ID-2017-343](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Maintenance Contract With DC Electric Group, Inc. In An Amount Not To Exceed \$152,898.04 For The Maintenance And Repair Of Traffic Signals, Streetlights And Safety Lighting For Fiscal Year 2017-2018 (Maurice Kaufman)

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Maintenance Contract](#)  
[Exhibit A B C to Maintenance Contract](#)  
[APPROVED Resolution No. 17-99](#)

- 10.16.** [ID-2017-363](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Agreement With West Coast Code Consultants Inc. In An Amount Not To Exceed \$60,000 For Plan Check Services Related To Compliance With Provision C3 Of The Municipal Regional Permit Issued By The Regional Water Quality Control Board For Various Projects Within The City For Fiscal Year 2017-18. (Andrew Clough / Nancy Humphrey)

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[WC3 PSA](#)  
[APPROVED Resolution No. 17-100](#)

- 10.17.** [ID-2017-364](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Agreement With OTG EnviroEngineering Solutions, Inc. In An Amount Not To Exceed \$175,486 For Environmental Work At Three Sites Required By The Alameda County Department Of Environmental Health (ACDEH). (Andrea Clough / Nancy Humphrey)

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Professional Services Agreement](#)  
[APPROVED Resolution No. 17-101](#)

- 10.18.** [ID-2017-393](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Agreement With Integrity Construction Maintenance, Inc., In An Amount Not To Exceed \$211,758.68 For Janitorial Services For Fiscal Year 2017-18. (Andrew Clough)

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Agreement](#)  
[Exhibits A and B](#)  
[APPROVED Resolution No. 17-102](#)

- 10.19.** [ID-2017-394](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Service Agreement With Integrity Construction Maintenance, Inc. In An Amount Not To Exceed \$355,000 For Facilities Maintenance Of City Owned Buildings For Fiscal Year 2017-18. (Andrew Clough)

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Contract](#)  
[APPROVED Resolution No. 17-103](#)

- 10.20.** [ID-2017-395](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Service Agreement With Matrix HG, Inc., In An Amount Not To Exceed \$98,471 For HVAC Maintenance Of City Owned Facilities For Fiscal Year 2017-18. (Andrew Clough)

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Contract](#)  
[APPROVED Resolution No. 17-104](#)

## 11. PUBLIC HEARINGS

- 11.1.** [ID-2017-429](#) Resolution Of The City Council Of The City Of Emeryville Amending The City Of Emeryville Master Fee Schedule For Fiscal Year 2017-18 Effective On July 3, 2017  
(Susan Hsieh)

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Exhibit A: Proposed Master Fee Schedule](#)  
[APPROVED Resolution No. 17-105](#)

- 11.2. [ID-2017-366](#) Resolution Of The City Council Of The City Of Emeryville Establishing The Fiscal Year 2017-18 Property and Business Improvement District (PBID) Annual Assessment Levy For The Respective Parcels Within The Improvement District With An Increase Of 3% On All Parcels And Approving The Budget Submitted By The Emeryville Transportation Management Association (TMA) For Service Year 2018 (Cindy Montero)

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[2018 Prelim Budget](#)  
[ETMA Final Audit 2016](#)  
[2014-2016 Ridership Comparison Report](#)  
[FY 2017-18 Prelim Assessment Levy](#)  
[APPROVED Resolution No. 17-106](#)

## 12. ACTION ITEMS

- 12.1. [ID-2017-369](#) Introduction And First Reading Of An Ordinance Of The City Of Emeryville Repealing And Replacing Chapter 2 Of Title 4 Of The Emeryville Municipal Code, "Emergency Plans"; CEQA Determination: Exempt Pursuant To Section 15061(b)(3) Of The California CEQA Guidelines. (Andrea Visveshwara / Lori Elephant)

**Attachments:** [Staff Report](#)  
[Attachment 1: Ordinance](#)  
[Attachment 2: Redlined Ordinance](#)

- 12.2. [ID-2017-284](#) Appointment Of Standby Officers For Council Member Succession In The Event Of A Declared Emergency. (Sheri Hartz)

**Attachments:** [Staff Report](#)

- 12.3. [ID-2017-436](#) Fair Workweek Ordinance: Regulations and Enforcement (Charles S. Bryant / Chadrick Smalley / April Shabazz)

**Attachments:** [Staff Report](#)  
[Press Release: Secure Scheduling Final Rules](#)  
[Public Comment: EBASE / ACCE / CPD Email](#)

- 12.4. [ID-2017-361](#) City Council Discussion and Direction of City/School Committee Mission Prior To Item Going On The City/School Agenda In July (Pedro Jimenez)

**Attachments:** [Staff Report](#)  
[Current City-School Rules and Procedures FINAL- updated 3-2-17](#)



- 12.5.**     [ID-2017-390](#)     Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Service Agreement With Rubicon Enterprises Inc., DBA Rubicon Landscape In An Amount Not To Exceed \$209,536 For City-Wide Landscape Maintenance For Fiscal Year 2017-18. (Andrew Clough)

Attachments:     [Staff Report](#)

[Resolution](#)

[Letter from New Image](#)

[Staff Review Memo](#)

[Contract](#)

[APPROVED Resolution No. 17-107](#)

- 12.6.**     [ID-2017-441](#)     Council Discussion On Whether To Approve In Concept The Appropriation Of Funds Toward A School Board Audit Of The Emeryville Center For Community Life (ECCL) Project. (Council Member Christian Patz / Sheri Hartz)

Attachments:     [Staff Report](#)

### **13. COMMUNICATION AND REPORTS**

#### ***13.1. Department Heads***

#### ***13.2. Council Members Reporting on Meetings Attended***

### **14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS**

### **15. ADJOURNMENT**

### **16. LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS**

- 16.1. [ID-2017-430](#) **Please Note: This list is for informational purposes only.** All items shown here are **tentative** at this time and are not confirmed until the agendas for the meeting dates are published and posted, 11 days prior to the meeting. Other items may be added. Also note that this list shows working titles, which may be revised slightly before the item becomes final.

July 4, 2017 Regular City Council Meeting  
Rescheduled due to Independence Day holiday

July 11, 2017 Regular City Council Meeting  
- Study Session: Budget Workshop  
- Public Market Noise Waiver Request  
- Ordinance Introduction: Minimum Wage  
- ADA Disabled Blue Parking Zone Request, 4317 Adeline Street  
- Small Business Joint Study Session Recap  
- Sherwin Williams Park & Recreation Impact Fee Credit Request

When published, the packets for City Council meetings can be viewed online at

<http://www.ci.emeryville.ca.us/88/Video-Agendas-Reports-Minutes-Archive>

THE NEXT REGULAR MEETING WILL BE ON JULY 11, 2017, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608