



## 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:

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

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**Tuesday, June 5, 2018**

**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, 5606 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, MANAGEMENT OF EMERYVILLE SERVICES AUTHORITY (MESA) 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).

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**

**2. ROLL CALL**

**3. APPROVAL OF FINAL AGENDA**

**4. SPECIAL ORDERS OF THE DAY**

4.1 [ID-2018-284](#) Recognition of Emeryville Police Department Volunteer Elaine Alejo.  
(Chief Tejada)

4.2 [ID-2018-292](#) Proclamation: Immigrant Heritage Month

Attachments: [Proclamation](#)

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

**6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS / REPORTS ON MEETING ATTENDANCE**

**7. CITY MANAGER'S REPORT**

**8. EX PARTE COMMUNICATIONS**

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

**10. CONSENT ITEMS**

10.1 [ID-2018-299](#) Warrants. (Susan Hsieh)

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

- 10.2**     [ID-2018-280](#)     Action Minutes of the May 15, 2018, Emeryville City Council / Management of Emeryville Services Authority Special Closed Session Meeting. (Sheri Hartz)

**Attachments:**     [Action Minutes](#)

- 10.3**     [ID-2018-283](#)     Action Minutes of the May 15, 2018 Emeryville City Council Meeting. (Sheri Hartz)

**Attachments:**     [Action Minutes](#)

- 10.4**     [ID-2018-219](#)     Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Second Amendment To The Professional Services Agreement With AECOM For An Additional \$122,414, For A Total Amount Not To Exceed \$369,431 For Archeological Services Within The Site Of The South Bayfront Pedestrian Bicycle Bridge/Horton Landing Park Project, EPW 17-103 (CIP # 16475006) (Andrew Clough)

**Attachments:**     [Staff Report](#)  
[Draft Resolution](#)  
[Agreement Amdmt 2 - AECOM](#)  
[Agreement Amdmt 1 - AECOM](#)  
[Agreement - AECOM](#)  
[APPROVED Resolution No. 18-51](#)

- 10.5**     [ID-2018-275](#)     Resolution of The City Council of The City of Emeryville to Approve Acceptance Of The \$33,488 Grant Funds Awarded By The California Department of Justice Proposition 56 Tobacco Law Enforcement Grant Program, For A Tobacco Education And Enforcement Campaign To Reduce The Sales Of Tobacco Products To Minors. (Oliver Collins)

**Attachments:**     [Staff Report](#)  
[Draft Resolution](#)  
[APPROVED Resolution No. 18-52](#)

- 10.6**     [ID-2018-286](#)     Resolution Of The City Council Of The City Of Emeryville Authoring The City Manager To Enter Into A Professional Services Agreement With Uptons Inc. Dba: School Foodies In An Amount Not To Exceed \$115,000 Per Fiscal Year 2018-19 And 2019-20 To Provide Food Service At The Emeryville Child Development Center (Pedro Jimenez)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Draft Agreement](#)  
[Exhibit A to Agreement](#)  
[Service Proposal - School Foodies](#)  
[RFP 2018 Food Program ECDC](#)  
[APPROVED Resolution No. 18-53](#)

- 10.7**     [ID-2018-287](#)     Resolution Of The City Council Of The City Of Emeryville Urging The City Manager And The Human Resources Director To Work With Public Sector Unions In Emeryville To Ensure Their Health And Success; And Supporting The Freedom Of City Employees To Participate In Strong Unions Following The United States Supreme Court Decision On Janus v. AFSCME. (Dianne Martinez)

**Attachments:** [Staff Report](#)  
[Late Correspondence \(June 5, 2018\)](#)  
[Draft Resolution](#)  
[APPROVED Resolution No. 18-54](#)

- 10.8**     [ID-2018-288](#)     Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Agreement With Coastland Civil Engineering, Inc In An Amount Not To Exceed \$245,548 For City Engineering Services, Capital Projects Delivery, And Construction Inspection. (Andrew Clough)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Draft Agreement - Coastland](#)  
[APPROVED Resolution No. 18-55](#)

- 10.9**     [ID-2018-289](#)     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 \$219,387 For Janitorial Services For Fiscal Year 2018-19. (Andrew Clough)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[ICM Janitorial Contract](#)  
[ICM Janitorial Exhibits A and B](#)  
[APPROVED Resolution No. 18-56](#)

- 10.10**   [ID-2018-290](#)   Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Maintenance Contract With Integrity Construction Maintenance, Inc., In An Amount Not To Exceed \$385,000 For Facilities Maintenance Of City Owned Buildings For Fiscal Year

2018-19. (Andrew Clough)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[ICM Maintenance Contract w/Exhibit A](#)  
[APPROVED Resolution No. 18-57](#)

- 10.11**    [ID-2018-291](#)    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 \$99,984 For HVAC Maintenance Of City Owned Buildings For Fiscal Year 2018-19. (Andrew Clough)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[FY 2018-19 Contract and Exhibit A](#)  
[APPROVED Resolution No. 18-58](#)

- 10.12**    [ID-2018-298](#)    Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Maintenance Contract With CleanStreet, Inc. In An Amount Not To Exceed \$50,680 For Street Sweeping Of City Owned Streets For Fiscal Year 2018-19. (Andrew Clough)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[CleanStreet Contract](#)  
[Exhibits A and B - Scope of Work](#)  
[APPROVED Resolution No. 18-59](#)

- 10.13**    [ID-2018-305](#)    Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Contract With DeSilva Gates Construction In An Amount Not To Exceed \$1,634,568.00 For The Construction Of The 2017/2018 Street Rehabilitation and Preventive Maintenance Project, EPW 17-104 (CIP No. 17240005) And Approving The Possible Night Construction On Powell Street For Said Project (Andrew Clough / Ryan O'Connell)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Paving Contract](#)  
[Exhibit A - Project Overview Map](#)  
[Exhibit B - Arborist Report](#)  
[APPROVED Resolution No. 18-60](#)

## 11. PUBLIC HEARINGS

- 11.1**    [ID-2018-276](#)    Resolution Of The City Council Of The City Of Emeryville Authorizing

The Chief Of Police To Issue An Annual Cabaret License To Madison Marquette For Calendar Year 2018 (Chief Tejada)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Resolution Exh. A Conditions of Approval](#)  
[Bay Street Application 2018](#)  
[Detective Sergeant Report](#)  
[APPROVED Resolution No. 18-61](#)

## 12. ACTION ITEMS

## 13. DEPARTMENT HEAD REPORTS

- 13.1 [ID-2018-277](#) Planning Director's report on Planning Commission actions at the May 24, 2018 meeting:

The May 24th Planning Commission meeting was **cancelled** due to the lack of a quorum and all items have been moved to the June 28, 2018 Planning Commission agenda.

## 14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

## 15. ADJOURNMENT

## 16. LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS

[ID-2018-279](#) **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.

June 19, 2018 Regular City Council Meeting

- Study Session: Parking Management Plan
- Special Orders: Elder Abuse Awareness Month Recognition
- Investment Policy Update
- Public Hearing: Master Fee Schedule
- Transit Center Parking Agreement

June 21, 2018 Special City Council Closed Session Meeting

- Closed Session: Public Employee Employment, City Manager

July 10, 2018 \*Special\* City Council Meeting

- Annual Community Advisory Body Interviews/Appointments

July 10, 2018 Regular City Council Meeting

- Public Hearing: 1270 Ocean Avenue
- Public Hearing: Sherwin Williams PUD Amendment for Horton St. Trees (continued from 4/17/18)
- Ordinance Introduction: Smoking Ordinance Amendment
- ADA Transition Plan

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 JUNE 19, 2018, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608