



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

--AMENDED--

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**Tuesday, June 18, 2019**

**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.

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**PLEASE NOTE: Vice Mayor Patz will participate in the meeting via teleconference from the site listed below. The meeting agenda will be posted at the teleconference site and the site is accessible to the public. Anyone wishing to address the Council from the teleconference site will be provided with an opportunity to do so.**

**Location:**

**Doheny State Beach**

**Visitor Center**

**25300 Dana Point Harbor Drive**

**Dana Point, CA 92629**

**(510) 938-6917**

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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**
- 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-2019-286](#) Warrants. (Susan Hsieh)  
**Attachments:** [Staff Report](#)  
[Wire Transfers](#)  
[Check Register](#)
- 10.2. [ID-2019-281](#) Action Minutes of the May 29, 2019 Emeryville City Council Regular Meeting. (Sheri Hartz / Thai Nam Pham)  
**Attachments:** [Action Minutes](#)
- 10.3. [ID-2019-295](#) Action Minutes of the June 4, 2019 Emeryville City Council/Management of Emeryville Services Authority Special Closed Session Special Meeting. (Sheri Hartz / Thai Nam Pham)  
**Attachments:** [Action Minutes](#)
- 10.4. [ID-2019-296](#) Action Minutes of the June 4, 2019 Emeryville City Council Regular Meeting. (Sheri Hartz / Thai Nam Pham)  
**Attachments:** [Action Minutes](#)
- 10.5. [ID-2019-271](#) Resolution of The City Council of The City Of Emeryville Adopting The 2019 - 2020 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 / Lori Elephant)  
**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[APPROVED Resolution No. 19-75](#)

- 10.6.**     [ID-2019-265](#)     Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Two-Year Professional Services Contract With Second Sight Video & Multimedia For Fiscal Years 2019-20 And 2020-21 To Provide Broadcasting, Recording And Related Services For A Total Amount Not To Exceed \$120,000.00. (Sheri Hartz / Lorrayne Leong)

**Attachments:**   [Staff Report](#)  
                          [Draft Resolution](#)  
                          [Professional Services Contract](#)  
                          [APPROVED Resolution No. 19-76](#)

- 10.7.**     [ID-2019-239](#)     Building Division Professional Services Contracts. (Charles S. Bryant / Victor R. Gonzales)

**Attachments:**   [Staff Report](#)

- 10.7.1**   [ID-2019-240](#)     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 \$2,069,200 For Providing Building Division Services For The City Of Emeryville During Fiscal Years 2019-2020 And 2020-2021.

**Attachments:**   [Draft Resolution](#)  
                          [Exhibit A - WC3 Contract](#)  
                          [APPROVED Resolution No. 19-77](#)

- 10.7.2**   [ID-2019-241](#)     Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Contract With Interwest Consultant Group For A Total Amount Not To Exceed \$239,700 For Providing Building Division Services For The City Of Emeryville During Fiscal Years 2019-2020 And 2020-2021.

**Attachments:**   [Draft Resolution](#)  
                          [Exhibit A - Interwest Contract](#)  
                          [APPROVED Resolution No. 19-78](#)

- 10.8.**     [ID-2019-195](#)     Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Contract With The Safe Transportation Research And Education Center (SafeTREC) To Perform A Pedestrian And Bicycle Safety Evaluation At Selected Emeryville Intersections. (Andrew Clough / Nancy Humphrey)
- Attachments:**     [Staff Report](#)  
                              [Draft Resolution](#)  
                              [Professional Services Agreement](#)  
                              [Exhibit A](#)  
                              [APPROVED Resolution No. 19-79](#)
- 10.9.**     [ID-2019-220](#)     Signature Authority for ATP Greenway Crossing Improvements Project. (Andrew Clough / Ryan O'Connell)
- Attachments:**     [Staff Report](#)  
                              [Exhibit A - Allocation Letter](#)  
                              [Exhibit B - Master Funding Agreement](#)  
                              [Exhibit C - Program Supplement Agreement No S33](#)
- 10.9.1**     [ID-2019-277](#)     Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Master Funding Agreement With Caltrans.
- Attachments:**     [Draft Resolution](#)  
                              [APPROVED Resolution No. 19-80](#)
- 10.9.2**     [ID-2019-278](#)     Resolution Of The City Council Of The City Of Emeryville Authorizing the City Manager To Execute A Program Supplement Agreement No. S33 To The Master Funding Agreement With Caltrans And For All Other Agreements Necessary To Implement The ATP Greenway Crossing Improvements at 65th, 66th, and 67th Streets Project.
- Attachments:**     [Draft Resolution](#)  
                              [APPROVED Resolution No. 19-81](#)
- 10.10.**     [ID-2019-256](#)     Resolution Of The City Council Of The City Of Emeryville Accepting The 2017/2018 Street Rehabilitation and Preventive Maintenance Project, Phase 2, EPW 18-104 (CIP No. 17240005), As Complete And Authorizing The City Engineer To File A Notice Of Completion With The Alameda County Clerk. (Andrew Clough / Ryan O'Connell)
- Attachments:**     [Staff Report](#)  
                              [Draft Resolution](#)  
                              [APPROVED Resolution No. 19-82](#)

- 10.11. [ID-2019-285](#) Resolution Of The City Council Of The City Of Emeryville Approving The Scope Of Work And Authorizing The City Engineer To Advertise For Public Bids And Authorizing The City Manager To Award A Contract For The Child Development Center Rehabilitation, CIP No. 16475013; CEQA Determination: Exempt Pursuant To 15301(d). (Andrew Clough)

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

[Draft Resolution](#)

[APPROVED Resolution No. 19-83](#)

- 10.12. [ID-2019-254](#) Resolution Of The City Council Of The City Of Emeryville Determining that the Bid Protest Filed By Bay Construction, Is Without Merit, Authorizing The City Manager To Execute A Contract With Marina Landscape Inc. In An Amount Not To Exceed \$567,849 For Construction Of The 40th Street/San Pablo Avenue Median Rehabilitation Project, Project No. EPW 105-18, CIP No. 16475033, And Appropriating In Fiscal Year 2018/2019 Amounts Of \$200,000 From The General Capital Fund (Fund 475) From The 2019/2020 Project Budget. (Andrew Clough / Michael Roberts)

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

[Draft Resolution](#)

[Exhibit A - Marina Landscape Inc. Construction Contract](#)

[Exhibit B - Bay Construction Bid Protest](#)

[Exhibit C - Public Works Department Response to Bay Construction Bid Protest](#)

[Exhibit D - Excerpt from Part B \(Bid Protest Procedures\)](#)

[Exhibit E - Relevant Excerpt from Plans](#)

[APPROVED Resolution No. 19-84](#)

- 10.13. [ID-2019-269](#) 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 Integrity Construction Maintenance Inc. Increasing The Contract Amount By \$80,000 To An Amount Not To Exceed \$465,000 For Facilities Maintenance Of City Owned Buildings for Fiscal Year 2018-19 Using Funds Sufficient And Available For Appropriation in Fund 650 Major Maintenance - Account 77030. (Andrew Clough / Daraja Wagner)

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

[Draft Resolution](#)

[Maintenance Contract FY 18-19](#)

[Maintenance Contract Amendment 1](#)

[APPROVED Resolution No. 19-85](#)

- 10.14.** [ID-2019-270](#) 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 \$200,000 For Facilities Maintenance Of City Owned Buildings For Fiscal Year 2019/2020. (Andrew Clough / Joseph Aguilera)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Signed Integrity Contract for FY 19-20](#)  
[APPROVED Resolution No. 19-86](#)

- 10.15.** [ID-2019-294](#) Resolution of the City Council of the City of Emeryville Authorizing the City Manager to Execute a New Agreement with the County of Alameda that Governs the Provision of Emergency Medical Services and First Responder Advanced Life Support (FRALS) for the Term of July 1, 2019 to June 30, 2024. (Christine Daniel)

**Attachments:** [Staff Report](#)  
[Supplemental Staff Report](#)  
[Draft Resolution](#)  
[FRALS Contract](#)  
[APPROVED Resolution No. 19-87](#)

## 11. PUBLIC HEARINGS

- 11.1.** [ID-2019-293](#) Resolution of the City Council of the City of Emeryville Granting a Waiver from the Noise Ordinance to Pacific Gas & Electric Company for Work Beginning on Monday, July 8, 2019, at 6:00 P.M. Through Tuesday, July 9, 2019, Until 11:59 P.M. to Perform Strength Testing on a Gas Transmission Pipeline That Runs Under Hollis Street from the City of Oakland Boundary At the Southern End to the City of Berkeley Boundary At the Northern End (CEQA Status: Exempt Pursuant To State CEQA Guidelines Section 15061(b)(3)). (Andrew Clough / Keely Nelson)

**Attachments:** [Staff Report](#)  
[Draft Resolution](#)  
[Exhibit A - Applicant Request Letter](#)  
[Public Hearing Notice](#)  
[APPROVED Resolution No. 19-88](#)

## 12. ACTION ITEMS

- 12.1. [ID-2019-191](#) Introduction and First Reading Of An Ordinance Of The City Council Of The City Of Emeryville Amending Section 8-24.01 Of The Emeryville Municipal Code To Include Certain Demolition Waste Containing Polychlorinated Biphenyls (PCBs); CEQA Determination: Exempt Pursuant to CEQA Guideline Sections 15061(b)(3) and 15307. (Andrew Clough / Nancy Humphrey)

Attachments: [Staff Report](#)  
[Draft Ordinance](#)

- 12.2. [ID-2019-255](#) Consideration Of Park And Recreation Committee Recommendation For Potential Park Bond on the November 2019 Ballot. (Pedro Jimenez / Brad Helfenberger)

Attachments: [Staff Report Park Bond - Information](#)

### 13. DEPARTMENT HEAD REPORTS

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

### 15. ADJOURNMENT

### LIST OF UPCOMING SIGNIFICANT AGENDA ITEMS



[ID-2019-279](#) **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.

July 9 Annual Meetings

- Public Financing Authority
- Community Development Commission
- Management of Emeryville Services Authority

July 9, 2019 City Council Meeting

- Public Hearing: Planning Regulations Amendment to Modify Tower Separation Requirements
- Presentation by PG&E Concerning Public Safety Power Shutoff Program
- 40th/San Pablo Transit Hub and 40th Street Redesign Approval
- Green Infrastructure Plan Adoption

July 23, 2019 City Council Meeting

- Bank Service Agreements
- Climate Action Plan Update

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

[www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive.](http://www.emeryville.org/88/Video-Agendas-Reports-Minutes-Archive)

THE NEXT REGULAR MEETING WILL BE ON JULY 9, 2019, AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608