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CITY OF EMERYVILLE

ACTION MINUTES

City Council

Members:

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

AMENDED

Tuesday, May 15, 2018

7:16 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:16 p.m.

2. ROLL CALL

Present: 4 - Mayor John J. Bauters
Council Member Scott Donahue
Council Member Dianne Martinez
Council Member Christian R. Patz

Absent: 1 - Vice Mayor Ally Medina (excused)

3. APPROVAL OF FINAL AGENDA

A motion was made by Council Member Donahue, seconded by Council Member Martinez, to approve the Final Agenda. The motion carried by the following vote:

Ayes: 4 - Mayor Bauters, Council Member Donahue, Council Member Martinez, and Council Member Patz

Absent: 1 - Vice Mayor Medina

4. SPECIAL ORDERS OF THE DAY

- 4.1. [ID-2018-255](#) Proclamation Of The City Council Of The City Of Emeryville Proclaiming The Month Of May 2018 As "Older Americans Month" In The City Of Emeryville. (Pedro Jimenez)

Commission on Aging Chair Joyce Jacobson, along with Commission Vice Chair Winnifred Arbeiter, accepted the proclamation on behalf of the senior center and made brief remarks.

- 4.2. [ID-2018-266](#) Proclamation Of The City Of Emeryville Proclaiming May 19, 2018, As

"Kids To Parks Day" In The City Of Emeryville. (Sheri Hartz)

The Mayor read the proclamation aloud, which will be mailed to the National Park Trust.

5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES

City Clerk Sheri Hartz announced the ongoing recruitment for applicants to fill annual vacancies.

6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS / REPORTS ON MEETING ATTENDANCE

Council Member Martinez expressed thanks for the recent Peladeau Park/Emeryville Greenway dedication event, and announced an upcoming film event to be held at ECCL, and the upcoming Art Center listening session.

Mayor Bauters also remarked on the dedication event, and reported on his attendance at the Yacht Club Cinco de Mayo party. He also reported that homeless services had been discussed with Supervisor Carson at a recent meeting.

7. CITY MANAGER'S REPORT

There was no report given.

8. EX PARTE COMMUNICATIONS

No ex parte communications were reported.

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

1. A speaker stated that this was a legitimate Council meeting because it was ADA accessible, and added that ADA improvements still needed to be made at the Police Station. Regarding Item 4.1, he stated that the term "older Americans" was a euphemism.
2. A speaker discussed coal trains coming through the area and hoped that the City would oppose the practice.

Mayor Bauters briefly commented on the coal issue, stating that Emeryville has limited authority over the decision, but supports a "No Coal in Oakland" stance.

10. CONSENT ITEMS

Approval of the Consent Agenda

A motion was made by Council Member Donahue, seconded by Council Member Martinez, to approve the Consent Agenda. The motion carried by the following vote:

Ayes: 4 - Mayor Bauters, Council Member Donahue, Council Member Martinez, and Council Member Patz

Absent: 1 - Vice Mayor Medina

- 10.1. [ID-2018-264](#) Warrants. (Susan Hsieh)

A motion was made to accept this Informational Report.

- 10.2. [ID-2018-258](#) Action Minutes of the May 1, 2018, Emeryville City Council / Management of Emeryville Services Authority Special Closed Session Meeting. (Sheri Hartz)

A motion was made to approve the Minutes.

- 10.3. [ID-2018-259](#) Action Minutes of the May 1, 2018, Emeryville City Council Special Meeting. (Sheri Hartz)

A motion was made to approve the Minutes.

- 10.4. [ID-2018-262](#) Action Minutes of the May 1, 2018 Emeryville City Council Meeting. (Sheri Hartz)

A motion was made to approve the Minutes.

11. PUBLIC HEARINGS

- 11.1. [ID-2018-247](#) Resolution Of The City Council Of The City Of Emeryville Granting A Waiver From The Noise Ordinance To DPR Construction Between May 21, 2018 And July 14, 2018 For Eight Weekdays Of Work Between 6:00 P.M. And 2:00 A.M., One Weekday Of Work Between 4:00 A.M. And 7:00 A.M., And One Saturday of Work Between 6:00 A.M. And 4:00 P.M. At The Clif Bar Offices At 1400 65th Street, Suite 200 (APN: 49-1510-3-1) (CEQA Status: Exempt Pursuant To State CEQA Guidelines Section 15061(b)(3)). (Charles S. Bryant / Navarre Oaks)

Assistant Planner Navarre Oaks gave the staff presentation and responded to Council Member questions. Joel Savage, DPR Construction, described efforts that have been made to reduce noise impacts during the construction work.

PUBLIC HEARING OPEN: 7:38 p.m.

1. Steve Bronson stated he would like to know the extent of the noise as his residence is near the project.
2. A speaker stated that DPR Construction had no credibility and constantly violated the noise ordinance, and that their request contained inaccuracies.

PUBLIC HEARING CLOSED: 7:44 p.m.

Mayor Bauters asked the applicant for some clarification as a result of issues raised during Public Comment.

A motion was made by Council Member Patz, seconded by Council Member Donahue, to approve this Resolution. The motion carried by the following vote:

Ayes: 4 - Mayor Bauters, Council Member Donahue, Council Member Martinez, and Council Member Patz

Absent: 1 - Vice Mayor Medina

Enactment No: 18-46

12. ACTION ITEMS

- 12.1. [ID-2018-227](#) Homeless Services: (Charles S. Bryant / Chadrick Smalley / Catherine Firpo)

Housing Coordinator Catherine Firpo gave the staff presentation and responded to Council Member questions. She was joined by Catlin Gray, City intern, and Sharon Layton from Berkeley Food and Housing, who responded to questions.

PUBLIC COMMENT

1. Bill Reuters, speaking as Budget Advisory Committee Chair, asked what the total budget was for this program.
2. Ruth Major spoke in support of the program.

- 12.1.1 [ID-2018-228](#) Resolution Of The City Council Of The City Of Emeryville Adopting An Amended and Restated Emeryville Homeless Strategy.

A motion was made by Council Member Martinez, seconded by Council Member Donahue, to approve this Resolution. The motion carried by the following vote:

Ayes: 4 - Mayor Bauters, Council Member Donahue, Council Member Martinez, and Council Member Patz

Absent: 1 - Vice Mayor Medina

Enactment No: 18-47

- 12.1.2 [ID-2018-229](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Professional Services Agreement With The Berkeley Food And Housing Project In An Amount Not To Exceed \$265,000 And Appropriating \$205,000 From The Affordable Housing Fund (Fund 299) To The Fiscal Year 2018-19 Economic

Development And Housing Division Budget For Homeless Programs
(Account 299-87420).

A motion was made by Council Member Martinez, seconded by Council Member Donahue, to approve this Resolution. The motion carried by the following vote:

Ayes: 4 - Mayor Bauters, Council Member Donahue, Council Member Martinez, and Council Member Patz

Absent: 1 - Vice Mayor Medina

Enactment No: 18-48

- 12.1.3** [ID-2018-230](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Memorandum Of Understanding With The City Of Oakland For The Operation Of The North County Family Front Door In An Amount Not To Exceed \$25,000.

A motion was made by Council Member Donahue, seconded by Council Member Martinez, to approve this Resolution. The motion carried by the following vote:

Ayes: 4 - Mayor Bauters, Council Member Donahue, Council Member Martinez, and Council Member Patz

Absent: 1 - Vice Mayor Medina

Enactment No: 18-49

- 12.1.4** [ID-2018-231](#) Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Memorandum Of Understanding With The City Of Oakland To Fund The 2018-2019 Winter Shelter In An Amount Not To Exceed \$15,000.

A motion was made by Council Member Donahue, seconded by Council Member Martinez, to approve this Resolution. The motion carried by the following vote:

Ayes: 4 - Mayor Bauters, Council Member Donahue, Council Member Martinez, and Council Member Patz

Absent: 1 - Vice Mayor Medina

Enactment No: 18-50

- 12.2.** [ID-2018-272](#) Recommendation for Naming Or Dedication Of Emeryville Center Of Community Life Gymnasium. (Pedro Jimenez)

Council Member Patz gave a brief presentation on the intent of the item and responded to questions.

A motion was made by Council Member Patz, seconded by Council Member Donahue, to approve making a recommendation to the EUSD School Board regarding its naming/dedication policy. The motion carried by the following vote:

Ayes: 4 - Mayor Bauters, Council Member Donahue, Council Member Martinez, and Council Member Patz

Absent: 1 - Vice Mayor Medina

13. DEPARTMENT HEAD REPORTS

There were no reports given.

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

Council Member Martinez requested and received support to bring forward at the June 5, 2018 Council meeting, a resolution urging the City Manager and the Human Resources Department 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 in the aftermath of a United States Supreme Court decision on Janus v. AFSCME.

15. ADJOURNMENT

The meeting adjourned at 9:20 p.m.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Emeryville City Council.

**/Sheri Hartz/
Sheri Hartz, City Clerk**