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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

Tuesday, June 5, 2018

7:16 PM

Council Chambers

1. CALL TO ORDER

The meeting called to order at 7:47 p.m.

2. ROLL CALL

Present: 5 - Mayor John J. Bauters
Vice Mayor Ally Medina
Council Member Scott Donahue
Council Member Dianne Martinez
Council Member Christian R. Patz

3. APPROVAL OF FINAL AGENDA

A motion was made by Council Member Patz, seconded by Vice Mayor Medina, to approve the Final Agenda. The motion carried by the following vote:

Ayes: 5 - Mayor Bauters, Vice Mayor Medina, Council Member Donahue, Council Member Martinez, and Council Member Patz

4. SPECIAL ORDERS OF THE DAY

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

The Mayor called Chief Tejada forward, who made comments in appreciation of Ms. Alejo's service to the Police Department, and presented her with an award.

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

Attachments: [Proclamation](#)

Mayor Bauters read the proclamation aloud and presented it to Cecilia

I. Gaerlan, Executive Director, who made remarks on behalf of Bataan Legacy Historical Society.

5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES

The City Clerk announced the ongoing recruitment for annual Advisory Body committees and commissions.

6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS / REPORTS ON MEETING ATTENDANCE

Council Member Patz report on his attendance of the recent ABAG meeting. Vice Mayor Medina thanked the other Council Members for joining in her birthday celebration. Council Member Martinez noted that Phase 1 of EBCE commercial accounts, including the City of Emeryville, had been implemented, resulting in cleaner and cheaper energy.

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

There were no comments made.

10. CONSENT ITEMS

Approval of the Consent Agenda

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

Ayes: 5 - Mayor Bauters, Vice Mayor Medina, Council Member Donahue, Council Member Martinez, and Council Member Patz

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

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

A motion was made to approve this Other Item.

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](#)

A motion was made to approve the Minutes.

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

Attachments: [Action Minutes](#)

A motion was made to approve the 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](#)

A motion was made to approve this Resolution.

Enactment 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](#)

A motion was made to approve this Resolution.

Enactment 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](#)

A motion was made to approve this Resolution.

Enactment 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](#)

A motion was made to approve this Resolution.

Enactment 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](#)

A motion was made to approve this Resolution.

Enactment 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](#)

A motion was made to accept this Resolution.

Enactment 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](#)

A motion was made to approve this Resolution.

Enactment 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](#)

A motion was made to approve this Resolution.

Enactment 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](#)

A motion was made to approve this Resolution.

Enactment 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](#)

A motion was made to approve this Resolution.

Enactment 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](#)

The Council waived the staff presentation and had no questions.

PUBLIC HEARING OPEN: 8:03 p.m.

There was no testimony

PUBLIC HEARING CLOSED: 8:03 p.m.

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

Ayes: 5 - Mayor Bauters, Vice Mayor Medina, Council Member Donahue, Council Member Martinez, and Council Member Patz

Enactment No: 18-61

12. ACTION ITEMS

There were no Action Items listed.

13. DEPARTMENT HEAD REPORTS

No reports were given.

- 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

Mayor Bauters requested and received majority support for a future agenda item to review the existing PACE programs and potentially exiting the JPA.

15. ADJOURNMENT

The meeting recessed at 8:06 p.m., at which Council went into Closed Session. They returned at 8:28 p.m. and the meeting was adjourned.

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