



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: December 20, 2022
TO: Adam Politzer, Interim City Manager
FROM: John Kennedy, City Attorney
Christie Crowl, Special Counsel

SUBJECT: De-Criminalization Ordinances:

An Ordinance of the City Council of the City of Emeryville Repealing and Replacing Sections 1-2.01(d), (e) and (f) of Chapter 2 of Title 1 (“Penalty Provisions”) For Violations Of The Emeryville Municipal Code

An Ordinance of the City Council of the City of Emeryville Repealing Chapter 6 of Title 5 (“Criminal Records: Security”), Chapter 7 of Title 5 (“Fortunetelling”), Chapter 12 of Title 5 (“Minors”), and Chapter 15 of Title 5 (“Patrol Services”) in Their Entirety

CEQA Determination: Not a Project Pursuant to CEQA Guidelines 15378(b)(5)

RECOMMENDATION

Staff recommends that the City Council adopt the above-entitled Ordinance Repealing and Replacing Sections 1-2.01(d), (e) and (f) of Chapter 2 of Title 1 (“Penalty Provisions”) For Violations Of The Emeryville Municipal Code, and adopt the above-entitled Ordinance Repealing Chapter 6 of Title 5 (“Criminal Records: Security”), Chapter 7 of Title 5 (“Fortunetelling”), Chapter 12 of Title 5 (“Minors”), and Chapter 15 of Title 5 (“Patrol Services”) in Their Entirety. If approved by the City Council, both Ordinances would take effect on January 19, 2023.

BACKGROUND

The City Council waived the first readings and introduced the attached ordinances on December 12, 2022 with no changes. The staff report for the December 12, 2022 City Council meeting, which provides a detailed explanation of the proposed ordinances, is attached for reference (see Attachment 1).

CEQA DETERMINATION

Adoption of these Ordinances is not a project as defined by the California Environmental Quality Act (“CEQA”) because it is an organizational or administrative

activity that will not result in direct or indirect physical changes to the environment pursuant to CEQA Guidelines 15378(b)(5).

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Adam Politzer, Interim City Manager

ATTACHMENTS

- Staff Report for December 12, 2022 City Council Meeting
- Ordinance Repealing and Replacing Sections 1-2.01(d), (e) and (f) of Chapter 2 of Title 1 (“Penalty Provisions”) For Violations Of The Emeryville Municipal Code
- Ordinance Repealing Chapter 6 of Title 5 (“Criminal Records: Security”), Chapter 7 of Title 5 (“Fortunetelling”), Chapter 12 of Title 5 (“Minors”), and Chapter 15 of Title 5 (“Patrol Services”) in Their Entirety