



Emeryville City Hall  
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## CITY OF EMERYVILLE

### ACTION MINUTES

#### City Council

Members:

Mayor David Mourra  
Vice Mayor Sukhdeep Kaur  
Council Member Kalimah A. Priforce  
Council Member Matthew Solomon  
Council Member Courtney Welch

--AMENDED--

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Tuesday, July 15, 2025

7:16 PM

Council Chambers

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#### 1. CALL TO ORDER

The meeting was called to order at 7:34 p.m.

#### 2. ROLL CALL

**Present:** 5 - Mayor David Mourra  
Vice Mayor Sukhdeep Kaur  
Council Member Kalimah A. Priforce  
Council Member Matthew Solomon  
Council Member Courtney Welch

#### 3. APPROVAL OF FINAL AGENDA

A motion was made by Council Member Welch, seconded by Council Member Solomon, to approve the final agenda. The motion carried by the following vote:

**Ayes:** 5 - Mayor Mourra, Vice Mayor Kaur, Council Member Priforce, Council Member Solomon, and Council Member Welch

#### 4. SPECIAL ORDERS OF THE DAY

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

City Clerk April Foran announced that there was a resignation on BPAC and COA.

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

Council Member Priforce announced that he attended a watch party for The Snake.

#### 7. CITY MANAGER'S REPORT

#### 8. CITY ATTORNEY'S REPORT

City Attorney John Kennedy announced that on July 15, 2025, a settlement agreement was executed between Grocery Outlet and the City of Emeryville resolving a business license tax dispute in the matter of Grocery Outlet, Inc. v. City of Emeryville, Alameda Superior Court Case No. 24CV069470. Under the terms of the settlement, Grocery Outlet will pay the City \$371,355.41 comprised of \$296,355.41 in back taxes for 2022 through 2025 and \$75,000 in attorney's fees. Grocery Outlet also agreed to dismiss its lawsuit seeking a refund of \$252,743 for its 2021 business license tax. The City agreed to waive \$199,909.05 in penalties and interest. On July 1, 2025, the City Council authorized the City Manager to execute this settlement agreement in closed session by a vote of 3-2 with Mayor Mourra and Council Members Welch and Solomon voting in favor and Vice Mayor Kaur and Council Member Priforce opposed.

## 9. EX PARTE COMMUNICATIONS

All Council members received an email from Deborah at Rug Depot related to it 13.1 (40th Street multimodal project).

## 10. PUBLIC COMMENT FOR CONSENT AGENDA / ITEMS NOT ON THE AGENDA

0 speakers.

## 11. CONSENT ITEMS

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

**Ayes:** 5 - Mayor Mourra, Vice Mayor Kaur, Council Member Priforce, Council Member Solomon, and Council Member Welch

### 11.1. ID-2025-252 Warrants. (Sharon Friedrichsen)

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

**A motion was made to accept this Informational Report.**

### 11.2. ID-2025-256 Action Minutes Of The July 1, 2025, Special City Council Closed Session Meeting. (April Foran)

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

**A motion was made to approve the Minutes.**

### 11.3. ID-2025-257 Action Minutes Of The July 1, 2025, Regular City Council Meeting. (April Foran)

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

**A motion was made to approve the Minutes.**

- 11.4. ID-2025-259** Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Cooperative Agreement With The Alameda County Fire Department For The Purchase And Installation Of The Phoenix G2 Fire Station Alerting System At City Fire Stations, In An Amount Not To Exceed Two Hundred And Seventeen Thousand Four Hundred And Ninety-Nine Dollars And Eighty Two Cents \$217,499.82 For The Project, Appropriating Eighty-Six Thousand Dollars And Authorizing The City Manager To Increase The Agreement Amount By \$86,000 From The General Capital Improvement Fund 475 To Project 24475015. (LaTanya Bellow / Pedro Jimenez / Mohamed Alaoui)

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

[Draft Resolution](#)

[Exhibit A – Cooperative Agreement with Alameda County Fire Department](#)

**A motion was made to approve this Resolution.**

Enactment No: Reso No. 25-69

- 11.5. ID-2025-237** Resolution Of The City Council Of The City Of Emeryville Amending The City Of Emeryville Investment Policy To Provide Quarterly Investment Reports. (Sharon Friedrichsen / Brian Moura)

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

[Draft Statement of City Investment Policy \(Redline\)](#)

[Draft Resolution](#)

[Exhibit A - Statement of Investment Policy \(Clean\)](#)

**A motion was made to approve this Resolution.**

Enactment No: Reso No. 25-70

- 11.6. ID-2025-247** Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Amend A Professional Services Contract With Hinderliter De Llamas & Associates (HdL Companies) For An Additional Amount Not to Exceed \$130,000 for Fiscal Years 2025-26 And 2026-27 For Business License Tax and Fees Administration Services. (Sharon Friedrichsen)

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

[Attachment A - Professional Services Contract](#)

[Draft Resolution](#)

[Exhibit A to Resolution - Professional Services Contract 1st Amendment](#)

**A motion was made to approve this Resolution.**

Enactment No: Reso No. 25-71

- 11.7. ID-2025-251** Resolution Of The City Council Of The City Of Emeryville Adopting The Investment Policy Statement For The City Of Emeryville Section 115 Trust Pension Fund. (Sharon Friedrichsen)

**Attachments:** [Staff Report](#)[Draft Resolution](#)[Exhibit A to Resolution - Investment Policy Statement](#)**A motion was made to approve this Resolution.**

Enactment No: Reso No. 25-72

- 11.8. ID-2025-242** Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Professional Services Contract With Economic And Planning Systems, Inc. For Preparation Of An Inclusionary Housing Policy Study And A Development Impact Fee Update Study For A Total Contract Amount Not To Exceed \$433,409. (Chadrack Smalley / Miroo Desai)

**Attachments:** [Staff Report](#)[Draft Resolution](#)[Exhibit A to Resolution - Professional Services Contract](#)**A motion was made to approve this Resolution.**

Enactment No: Reso No. 25-73

- 11.9. ID-2025-222** Resolution Of The City Council Of The City Of Emeryville To Approve The Updated Sewer System Management Plan (SSMP). (Mohamed Alaoui / Nik Ignacio)

**Attachments:** [Staff Report](#)[Draft Resolution](#)[Exhibit A - Sewer System Management Plan](#)**A motion was made to approve this Resolution.**

Enactment No: Reso No. 25-74

- 11.10. ID-2025-248** Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Contract With Los Loza Inc. In The Amount Of \$712,130.00 For Planting Of Trees In Marina Park And Various Streets In Emeryville, Project No. EPW-24251004, And Authorizing The City Manager To Increase The Contract By \$177,870.00 For A Total Not To Exceed Contract Amount Of \$890,000; CEQA Determination: Exempt Pursuant To CEQA

Guideline 15301(C). (Mohamed Alaoui / Matt Anderson)

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

[Draft Resolution](#)

[Exhibit A to Resolution - Construction Contract](#)

**A motion was made to approve this Resolution.**

Enactment No: Reso No. 25-75

- 11.11. ID-2025-261** Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Settlement Agreement With The Emeryville Police Officers' Association (POA) For A Full Compromise And Release Of Overtime Claims And To Amend Adopted Fiscal Year 2025-2026 Budget To Increase The Appropriation In The General Fund, Police Department, Account 2200-71050 By \$262,868.29. (Lilybell Nakamura)

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

[Draft Resolution](#)

[Exhibit A - EPOA Settlement Agreement](#)

**A motion was made to approve this Resolution.**

Enactment No: Reso No. 25-76

- 11.12. ID-2025-260** Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Professional Services Agreement With Patatas, LLC In An Amount Not To Exceed \$156,158.40 Per Fiscal Year 2025-2026 And 2026-2027 For A Total Of \$312,329.48 To Provide Food Service At The Emeryville Child Development Center. (Rebecca Sermenno / Desiree Garland)

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

[ECDC Vended Meals Program RFP](#)

[Patatas Proposal Vended Meal Program](#)

[Latin Asian Fusion Bid Packet](#)

[Draft Resolution](#)

[Exhibit A - Patatas, LLC Professional Services Contract](#)

**A motion was made to approve this Resolution.**

Enactment No: Reso No. 25-77

## **12. PUBLIC HEARINGS**

- 12.1. ID-2025-223** Resolution Of The City Council Of The City Of Emeryville Approving A Modification To A Waiver From The Noise Ordinance For Sewer Rehabilitation Work On The Sanitary Sewer Interceptor Line Owned

By East Bay Municipal Utility District For A Period Of Twelve Weeks, Beginning In July 2025, To East Bay Municipal Utility District And Its Contractor. (Mohamed Alaoui / Nik Ignacio)

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

[Resolution No. 24-153](#)

[EBMUD Presentation](#)

[Draft Resolution](#)

PUBLIC HEARING OPENED: 7:39 p.m.

0 speakers.

PUBLIC HEARING CLOSED: 7:39 p.m.

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

**Ayes:** 5 - Mayor Mourra, Vice Mayor Kaur, Council Member Priforce, Council Member Solomon, and Council Member Welch

Enactment No: Reso No. 25-78

### 13. ACTION ITEMS

**13.1. ID-2025-243** Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Accept Funds And Execute Funding Agreements With The U.S. Department Of Housing And Urban Development And For All Other Agreements Necessary To Implement The 40th Street Transit-Only Lanes And Multimodal Enhancements Project. (Mohamed Alaoui / Ryan O'Connell)

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

[Attachment A - HUD Grant Award Letter](#)

[Draft Resolution](#)

[Exhibit A – HUD Grant Agreement](#)

Council Member Priforce recused himself on this item.

2 speakers.

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

**Ayes:** 4 - Mayor Mourra, Vice Mayor Kaur, Council Member Solomon, and Council Member Welch

**Recused:** 1 - Council Member Priforce

Enactment No: Reso No. 25-79

**14. DEPARTMENT HEAD REPORTS**

**15. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS**

**16. ADJOURNMENT**

The meeting adjourned at 8:16 p.m.

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

**/s/ April Foran, CMC**  
**City Clerk**

DRAFT