



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** October 1, 2024  
**TO:** Adam Politzer, Interim City Manager  
**FROM:** April Richardson, City Clerk  
**SUBJECT:** Resolution Of The City Council Of The City Of Emeryville Providing An Excused Absence To Public Art Committee Member Laura Rifkin On October 3, 2024, For Religious Reasons

### RECOMMENDATION

Staff recommends that the City Council adopt the above-entitled resolution excusing Laura Rifkin from the Public Art Committee meeting on October 3, 2024, for religious reasons.

### BACKGROUND

The Public Art Committee is scheduled to meet the first Thursday in October by resolution of the City Council. In 2024, that meeting falls on October 3, 2024, which is Rosh Hashanah.

The Public Art Committee (PAC) secretary contacted committee members to try to reschedule the meeting but could not meet the quorum requirements on an alternate date.

### DISCUSSION

Dr. Laura Rifkin is requesting an excused absence for religious reasons for this PAC meeting. The Rules of Procedure for Local Boards, Commissions, and Committees (ROP) does not provide a religious holiday exception under its attendance rules.

#### ***“3.12 Attendance***

*Each member of an Advisory Body shall attend every regular or special meeting, calculated on a term year basis (July 1 through June 30). If the member will be absent, they shall notify the Chairperson, Vice Chairperson, or the City Manager or designee, at least 24 hours in advance of the meeting start time.”*

Additionally, Dr. Rifkin has been absent from two meetings in this term year (July 1- June 30). A third absence would put them at risk of automatic termination with one additional absence.

*“Any member who is absent from more than 33% of the total meetings scheduled to be held in a term year will be subject to automatic termination of membership from the committee. Upon receiving notice from the Committee Secretary that the member will exceed the allowable number of absences should one more*

*absence occur, the City Manager or their designee shall notify the member that they are in danger of being automatically terminated from their seat on the Committee. Should a subsequent absence then be recorded before the end of the term year, the member will receive notice of termination, which will also be provided to the subject Advisory Body, and the City Council. Where applying a 33% calculation creates other than a whole number, normal number rounding to the nearest whole number will be used."*

As the ROP is adopted by the City Council, that body must act to provide an excused absence.

Additionally, staff intends to bring revisions to the attendance section in the ROP early next year that would provide for a religious holiday exception.

### **FISCAL IMPACT**

There is no fiscal impact.

### **STAFF COMMUNICATION WITH THE PUBLIC**

There has been no communication with the public on this item.

### **CONFLICT OF INTEREST**

There is no conflict of interest identified.

### **CONCLUSION**

Staff recommends that the City Council adopt a resolution excusing Laura Rifkin from the October 3, 2024, special Public Art Committee meeting for religious reasons.

**PREPARED BY:** April Richardson, City Clerk

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



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Adam Politzer, Interim City Manager

### **ATTACHMENTS**

- Draft Resolution