



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** September 1, 2020  
**TO:** Mayor and City Council Members  
**FROM:** Michael Guina, City Attorney  
**SUBJECT:** **Ordinance Of The City Council Of The City Of Emeryville Amending Emeryville Municipal Code Section 4-9.01 To Expand The Scope Of The Transportation Committee To Consolidate The Transportation Committee With The Public Works Committee Created By Resolution No. 95-131; CEQA Determination: Exempt Pursuant to CEQA Guideline 15061(b)(3)**

### RECOMMENDATION

Staff recommends that the City Council approve the first reading and introduction of the above-referenced ordinance to consolidate the Public Works Committee and the Transportation Committee.

### BACKGROUND

On April 16, 1991, the City Council adopted Ordinance No. 91-02, codified as part of Chapter 9 of Title 4 of the Emeryville Municipal Code (which has been subsequently amended through the years), creating the City's Transportation Committee as it exists currently. Emeryville Municipal Code 4-9.01 provides that the Transportation Committee "shall forward proposed actions to the City Council regulating vehicular traffic and parking upon the City streets and publicly controlled off-street parking facilities in a manner consistent with the provisions of this chapter". The Transportation Committee is comprised of two Council members, with the support of the following City staff (or staff's designee): the City Manager, the Fire Chief, the Police Chief and the Public Works Director.

On July 18, 1995, the City Council adopted Resolution No. 95-131, creating the City's Public Works Committee, as it exists currently. The Public Works Committee provides advice to the City Council on Public Works related issues. The Public Works Committee is comprised of two Council members, with the support from the following City staff: City Manager, Public Works Director, and Public Works Superintendent.

At its June 16, 2020, meeting, the City Council requested staff to bring forward an item in which the Public Works Committee and the Transportation Committee are to be consolidated.

### DISCUSSION

The attached ordinance proposes to modify Emeryville Municipal Code section 4-9.01 to expand the purview of the Transportation Committee, to include those matters heard by the Public Works Committee, and for the Transportation Committee to supersede the

Public Works Committee. Staff recommends expanding the scope of the Transportation Committee, versus expanding the scope of the Public Works Committee, because the Transportation Committee is created by a codified ordinance, and there are several municipal code provisions that refer to the Transportation Committee. Modifying the purview of the Transportation Committee to include the Public Works Committee purview is a fairly straightforward legislative action whereas modifying the Public Works Committee to include the Transportation Committee is a much more complicated legislative action. In the event that there are any specific legislative actions or other City actions that specify the Public Works Committee, the proposed ordinance specifies that the Transportation Committee supersedes the Public Works committee.

### **FISCAL IMPACT**

There is no fiscal impact since this is a consolidation of two advisory committees to the City Council.

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

Staff has not had any communication with the public on this item.

### **ENVIRONMENTAL REVIEW**

Adoption of the proposed ordinance is exempt from review under the California Environmental Quality Act Guideline 15061(b)(3) because this change in City process to formulate recommendations to the City Council will not have an effect on the environment.

### **CONCLUSION**

Staff recommends that the City Council:

1. Make a motion to read the ordinance by title only;
2. Take public comment; and
3. Adopt the first reading of the proposed ordinance.

**PREPARED BY:** Andrea Visveshwara, Assistant City Attorney

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



Michael Guina, City Attorney

### **ATTACHMENTS**

- Draft Ordinance