



## CITY OF EMERYVILLE

INCORPORATED 1896

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June 2, 2025

### **SENT VIA U.S. MAIL & EMAIL**

Council Member Kalimah Priforce



Emeryville, CA 94608

Email: [priforce@emeryville.org](mailto:priforce@emeryville.org)

RE: 40<sup>TH</sup> Street Multimodal Project

Dear Council Member Priforce:

Thank you for providing the City of Emeryville (the “City”) with information, on May 27, 2025, regarding the Fair Political Practices Commission (the “FPPC”) Enforcement Division’s investigation in response to a complaint filed against you. It is our understanding that the FPPC complaint involves allegations that you may have violated the Political Reform Act’s campaign contribution and disclosure requirements, including with respect to contributions received from persons who may have an interest in the 40<sup>th</sup> Street Multimodal Project (the “Project”).

Furthermore, in light of this pending investigation, you have agreed to recuse yourself from any and all involvement related to the Project while it remains ongoing. This includes: voting on, participating in, or attempting to influence any governmental decision regarding the Project, including through direct or indirect communication with City staff or officials. You also agree not to engage in any discussions or attend any meetings with City staff or City officials concerning the Project. Further, you will not be counted for purposes of establishing a quorum of the City Council to consider the Project, attend any closed session of the City Council related to the Project, or review any non-public information related to the Project.

We appreciate your cooperation to avoid any conflict of interest or appearance of a conflict that may run afoul of the Political Reform Act. We also request that you notify the City regarding the on-going status of the FPPC’s investigation to ensure that the City Council’s decision-making process related to the Project is beyond reproach. Further, you understand that this letter is not privileged or confidential legal advice if the City receives a request for public records or other inquiries regarding the steps the City has taken in response to the FPPC’s investigation.

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*40<sup>th</sup> Street Multimodal Project*  
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Finally, we want to alert you regarding the Form 700s you have previously filed with the FPPC to point out that all sources of salaries and wages from non-governmental sources, including non-profit organizations, are required to be reported. If you have any questions regarding income reporting requirements, please let me know.

Very truly yours,

DocuSigned by:  
  
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JOHN T. KENNEDY  
Emeryville City Attorney