



Emeryville City Hall  
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## CITY OF EMERYVILLE

### **ACTION MINUTES**

#### City Council Special Closed Session

Members:

Scott Donahue Mayor  
John J. Bauters Vice Mayor  
Dianne Martinez Council Member  
Ally Medina Council Member  
Christian R. Patz Council Member

#### AMENDED

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Tuesday, April 4, 2017

5:00 PM

Council Chambers

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#### **1. CALL TO ORDER, ROLL CALL**

The meeting was called to order at 5:00 p.m. Council Member Patz arrived at 5:10 p.m.

**Present** 5 - Mayor Scott Donahue, Vice Mayor John Bauters, Council Member Dianne Martinez, Council Member Ally Medina, and Council Member Christian R. Patz

#### **2. PUBLIC COMMENT (on Closed Session Items)**

There were no comments made.

#### **3. EX PARTE COMMUNICATIONS**

No ex parte communications were reported.

#### **4. CLOSED SESSION - CITY OF EMERYVILLE**

At 6:14 p.m., City Attorney Michael Guina reported that the Closed Session was in recess and that the Council would return to Closed Session following Adjournment of the Regular Meeting. The Closed Session meeting reconvened at 8:11 p.m..

##### ***4.1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Pursuant to Government Code Section 54956.9(a):***

**4.1.1.** [ID-2017-195](#) I.A. and C.S., the minor children of Yvette Henderson, et al. v. City of Emeryville, et al., U.S.D.C. Case No. 4:15-CV-04973-DMR.

An update was provided.

**4.1.2.** [ID-2017-209](#) California Restaurant Association v. City of Emeryville, U.S.D.C. Case No. 3:16-CV-0666660-JST.

An update was provided and direction given to staff.

#### **4.2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, pursuant to Government Code Section 54956.8**

- 4.2.1. [ID-2017-196](#) Property: 3706 San Pablo/1025 West MacArthur Blvd (APN's 012-0951-011, 049-0951-004-02, 049-0951-005-01, 049-0951-006-01)  
Agency Negotiators: Carolyn Lehr, City Manager; Michael Guina, City Attorney.  
Negotiating Parties: City of Emeryville, EAH  
Under Negotiations: Direction regarding price and terms of real estate negotiations.

An update was provided and direction given to staff.

- 4.2.2. [ID-2017-210](#) Property: Union Pacific Railroad Milepost 3.93 (Martinez Subdivision)  
Agency Negotiators: Carolyn Lehr, City Manager; Michael Guina, City Attorney  
Negotiating Parties: City of Emeryville, Union Pacific Railroad  
Under Negotiations: Direction regarding price and terms of acquisition of property

An update was provided and direction given to staff.

- 4.2.3. [ID-2017-208](#) Property: PG&E Buildings "A" and "G" (APN 49-1032-14; 49-1032-013);  
Agency Negotiator: Carolyn Lehr, City Manager; Michael Guina, City Attorney  
Negotiating Parties: Pacific Gas & Electric, City of Emeryville  
Under Negotiation: Direction regarding price and terms for real estate negotiations.

An update was provided and direction given to staff.

#### **5. REPORTING OUT OF CLOSED SESSION**

City Attorney Guina reported out of Closed Session as shown above.

#### **6. ADJOURNMENT**

The meeting adjourned at 8:37 p.m.

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

**/Sheri Hartz/  
Sheri Hartz, City Clerk**

