



Emeryville City Hall
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CITY OF EMERYVILLE

ACTION MINUTES

Special Closed Session

Members:

Mayor Courtney Welch
Vice Mayor David Mourra
Council Member John J. Bauters
Council Member Sukhdeep Kaur
Council Member Kalimah A. Priforce

City Council / City as Successor Agency to the Emeryville
Redevelopment Agency / Management of Emeryville Services
Authority

Tuesday, October 15, 2024

7:00 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. ROLL CALL

Council Member Bauters participated via teleconference per the Brown Act. His remote location was listed on the agenda.

Present: 4 - Mayor Courtney Welch
Vice Mayor David Mourra
Council Member John J. Bauters
Council Member Sukhdeep Kaur

Absent: 1 - Council Member Kalimah A. Priforce

3. EX PARTE COMMUNICATIONS

No ex parte communications were reported.

4. PUBLIC COMMENT (on Closed Session Items)

There were no public comments.

5. CLOSED SESSION - CITY OF EMERYVILLE AS SUCCESSOR AGENCY TO THE EMERYVILLE REDEVELOPMENT AGENCY

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

5.1.1. ID-2022-037 The Successor Agency to the Former Emeryville Redevelopment Agency and the City of Emeryville v. Swagelok Company, et. al., U.S.D.C., Case No. 17-CV-00308-WHO

6. CLOSED SESSION - CITY OF EMERYVILLE**6.1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Pursuant to Government Code Section 54956.9(a):**

- 6.1.1. ID-2022-038** In the Matter of Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012, 9th Circuit Court of Appeals, Appeal No. 20-72749; WT Docket No. 19-250, RM-11849.
- 6.1.2. ID-2022-040** The Successor Agency to the Former Emeryville Redevelopment Agency and the City of Emeryville v. Swagelok Company, et. al., U.S.D.C., Case No. 17-CV-00308-WHO
- 6.1.3. ID-2023-002** Rochelle Conner v. City of Emeryville, et al., U.S.D.C. Case No. C22-08867
- 6.1.4. ID-2023-148** Duane Singleton v. City of Emeryville, et al., Alameda Superior Court Case No. 23CV029375
Claim of Duane Singleton, EM 2022-09
- 6.1.5. ID-2024-012** Kyle Ching v. City of Emeryville, et al., Alameda Superior Court Case No. 23CV054260
Claim of Kyle Ching, EM 2023-04
- 6.1.6. ID-2024-016** Muneer Nageeb Ali v. City of Emeryville, et al., Alameda Superior Court Case No. 23CV056233
Claim of Muneer Nageeb Ali, EM 2023-08
- 6.1.7. ID-2024-017** Ana Biocini v. City of Emeryville, et al., Alameda Superior Court Case No. 24CV058820
Claim of Ana Biocini, EM 2023-09
- 6.1.8. ID-2024-151** Nearcast, Inc. v. City of Emeryville, Alameda County Superior Court Case No. 24CV062655
- 6.1.9. ID-2024-152** Grocery Outlet, Inc. v. City of Emeryville, Alameda Superior Court Case No. 24CV069470
- 6.1.10. ID-2024-284** Taurice Williams v. City of Emeryville, et al., U.S. District Court, Case No. 24-CV-02105 LB
Claim of Taurice Williams, EM 2023-11
- 6.1.11. ID-2024-409** Mariama Sadio v. City of Emeryville, et al., Alameda County Superior Court, Case No. 24CV091400
Claim of Mariama Sadio, EM 2024-06

7. CLOSED SESSION - CITY OF EMERYVILLE / CITY OF EMERYVILLE AS SUCCESSOR AGENCY TO THE EMERYVILLE REDEVELOPMENT AGENCY

7.1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, pursuant to Government Code Section 54956.8

- 7.1.1. ID-2024-398** Property: 5959 Horton Street, Emeryville, CA (Amtrak Station Parcel)
APN: 049-1325-001-02
Agency Negotiators: Adam Politzer, Interim City Manager/Executive Director; John Kennedy, City Attorney/Legal Counsel; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville, City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency, National Railroad Passenger Corporation (Amtrak); Emery Station West, LLC
Under Negotiations: Direction regarding price and terms of real estate negotiations.
- 7.1.2. ID-2024-399** Property: APN: 049-1325-001-04 Platform Parcel 4
Agency Negotiators: Adam Politzer, Interim City Manager/Executive Director; John Kennedy, City Attorney/Legal Counsel; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville, City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency, National Railroad Passenger Corporation (Amtrak)
Under Negotiations: Direction regarding price and terms of real estate negotiations.
- 7.1.3. ID-2024-400** Property: APN: 049-1325-002 Platform Parcel 3
Agency Negotiators: Adam Politzer, Interim City Manager/Executive Director; John Kennedy, City Attorney/Legal Counsel; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville, City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency, National Railroad Passenger Corporation (Amtrak)
Under Negotiations: Direction regarding price and terms of real estate negotiations.
- 7.1.4. ID-2024-401** Property: 59th Street Extension (Portion)
Agency Negotiators: Adam Politzer, Interim City Manager/Executive Director; John Kennedy, City Attorney/Legal Counsel; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville, City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency, Emery Station West, LLC

Under Negotiation: Direction regarding price and terms of real estate negotiations.

8. CLOSED SESSION - CITY OF EMERYVILLE

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

- 8.1.1. ID-2024-403** Property: APN: 049-1489-16 Platform Parcel 2
Agency Negotiators: Adam Politzer, Interim City Manager; John Kennedy, City Attorney; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville, National Railroad Passenger Corporation (Amtrak)
Under Negotiation: Direction regarding price and terms of real estate negotiations.
- 8.1.2. ID-2024-404** Property: APN: 049-1489-010-05 Platform Parcel 1
Agency Negotiators: Adam Politzer, Interim City Manager; John Kennedy, City Attorney; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville, National Railroad Passenger Corporation (Amtrak)
Under Negotiation: Direction regarding price and terms of real estate negotiations.
- 8.1.3. ID-2024-405** Property: APN 049-1489-015 (Portion) (Bus Bays and Parking Spaces)
Agency Negotiators: Adam Politzer, Interim City Manager; John Kennedy, City Attorney; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville, Emery Station West, LLC
Under Negotiation: Direction regarding price and terms of real estate negotiations.
- 8.1.4. ID-2024-406** Property: APN 049-1489-015 (Portion) (Bus Bays)
Agency Negotiators: Adam Politzer, Interim City Manager; John Kennedy, City Attorney; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville, National Railroad Passenger Corporation (Amtrak), Alameda-Contra Costa Transit District
Under Negotiation: Direction regarding price and terms of real estate negotiations.
- 8.1.5. ID-2024-407** Property: 4300 San Pablo Avenue, Emeryville, CA (APN 49-1079-014-01)
Agency Negotiators: Adam Politzer, Interim City Manager; John Kennedy, City Attorney; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville and EAH, Inc.
Under Negotiations: Direction regarding price and terms of real

estate negotiations.

- 8.1.6. ID-2024-408** Property: 1245 Powell St., Emeryville, CA (APN 49-1314-001-01)
Agency Negotiators: Adam Politzer, Interim City Manager; John Kennedy, City Attorney; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville and Bahman Ghaziani
Under Negotiations: Direction regarding price and terms of real estate negotiations.

9. REPORTING OUT OF CLOSED SESSION

City Attorney John Kennedy stated that there were no reportable actions taken.

10. ADJOURNMENT

The meeting adjourned at 7:10 p.m.

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

/s/ April Richardson, CMC
City Clerk