



Emeryville City Hall
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CITY OF EMERYVILLE

ACTION MINUTES

Special Closed Session

Members:

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

--AMENDED--

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

Tuesday, July 18, 2023

5:45 PM

Council Chambers / Teleconference

1. CALL TO ORDER

The meeting was called to order at 5:45 p.m.

2. ROLL CALL

Present: 5 - Mayor John J. Bauters
Vice Mayor Courtney Welch
Council Member Sukhdeep Kaur
Council Member David Mourra
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-2022-044** Harris v. City of Emeryville, Alameda Superior Court Case No. RG21108217
- 6.1.4. ID-2022-195** Barry Hurford v. City of Emeryville, Alameda Superior Court Case No. RG1112527
- 6.1.5. ID-2022-544** Michael Addy v. City of Emeryville, et al., Alameda Superior Court Case No. 22CV017988
- 6.1.6. ID-2023-002** Rochelle Conner v. City of Emeryville, et al., U.S.D.C. Case No. C22-08867
- 6.1.7. ID-2023-006** Stephanie Merchant v. City of Emeryville, et al., Alameda Superior Court Case No. 22CV024068
Claim of Stephanie Merchant - EM2022-05
- 6.1.8. ID-2023-148** Duane Singleton v. City of Emeryville, et al., Alameda Superior Court Case No. 23CV029375; Claim of Duane Singleton, EM 2022-09

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-2023-155** Property: 5959 Horton Street, Emeryville, CA (Amtrak Station Parcel)
APN: 049-1325-001-02
Agency Negotiators: Paul Buddenhagen, 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-2023-156** Property: APN: 049-1325-001-04 Platform Parcel 4
Agency Negotiators: Paul Buddenhagen, 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-2023-157** Property: APN: 049-1325-002 Platform Parcel 3
Agency Negotiators: Paul Buddenhagen, 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-2023-158** Property: 59th Street Extension (Portion)
Agency Negotiators: Paul Buddenhagen, 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-2023-159** Property: APN: 049-1489-16 Platform Parcel 2
Agency Negotiators: Paul Buddenhagen, 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-2023-160** Property: APN: 049-1489-010-05 Platform Parcel 1
Agency Negotiators: Paul Buddenhagen, 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-2023-161** Property: APN 049-1489-015 (Portion) (Bus Bays and Parking Spaces)
Agency Negotiators: Paul Buddenhagen, 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-2023-162** Property: APN 049-1489-015 (Portion) (Bus Bays)
Agency Negotiators: Paul Buddenhagen, 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-2023-163** Property: 4060 Hollis Street (APN 049-0618-004-00)
City Hall Parking Lot (APNs 049-0618-002-02, 049-0618-003-00, 049-0618-029-00)
Agency Negotiators: Paul Buddenhagen, City Manager; John Kennedy, City Attorney; Christie Crowl, Special Counsel
Negotiating Parties: City of Emeryville, 4060 Hollis Street, LLC
Under Negotiations: Direction regarding price and terms of real estate negotiations
- 8.1.6. ID-2023-164** Property: 4300 San Pablo Avenue, Emeryville, CA (APN 49-1079-014-01)
Agency Negotiators: Paul Buddenhagen, 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.
- 8.1.7. ID-2023-307** Property: 1245 Powell St., Emeryville, CA (APN 49-1314-001-01)
Agency Negotiators: Paul Buddenhagen, 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.

8.2. CONFERENCE WITH LEGAL COUNSEL - PENDING CLAIMS, Pursuant to Government Code Section 54956.9(e)(3):

8.2.1. ID-2023-306 Claim of Michael Hunter - EM2023-06

Attachments: [Claim of Michael Hunter](#)

A motion was made by Vice Mayor Welch, seconded by Council Member Mourra, to approve a settlement in the amount of \$250.00 for towing costs. The motion carried by the following vote:

Ayes 5 - Mayor Bauters, Vice Mayor Welch, Council Member Kaur, Council Member Mourra, and Council Member Priforce

9. CLOSED SESSION - CITY OF EMERYVILLE / MANAGEMENT OF EMERYVILLE SERVICES AUTHORITY

9.1. CONFERENCE WITH LABOR NEGOTIATORS, pursuant to Government Code Section 54957.6:

9.1.1. ID-2023-173 Agency Designated Representatives: Paul Buddenhagen, City Manager; Lilybell Nakamura, Human Resources Director; Greg Ramirez, IEDA; John Kennedy, City Attorney
Employee Organization: Emeryville Association of Confidential Administrative Management and Professional Employees (CAMP)

9.1.2. ID-2023-174 Agency Designated Representatives: Paul Buddenhagen, City Manager; Lilybell Nakamura, Human Resources Director; Greg Ramirez, IEDA; John Kennedy, City Attorney
Employee Organization: Emeryville Police Officers' Association (EPOA)

9.1.3. ID-2023-175 Agency Designated Representatives: Paul Buddenhagen, City Manager; Lilybell Nakamura, Human Resources Director; Greg Ramirez, IEDA; John Kennedy, City Attorney
Employee Organization: Service Employees International Union (SEIU), Local 1021

10. REPORTING OUT OF CLOSED SESSION

City Attorney John Kennedy reported out of Closed Session as shown above.

11. ADJOURNMENT

The meeting adjourned at 6:31 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**

DRAFT