



Emeryville City Hall  
1333 Park Avenue  
Emeryville, CA 94608  
(510) 596-4300 phone  
(510) 450-7831 fax  
[www.emeryville.org](http://www.emeryville.org)

# CITY OF EMERYVILLE

## ACTION MINUTES

### Special Closed Session

Members:

Mayor John J. Bauters  
Vice Mayor Ally Medina  
Council Member Scott Donahue  
Council Member Dianne Martinez  
Council Member Courtney Welch

--AMENDED--

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

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Tuesday, September 6, 2022

5:30 PM

Teleconference

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#### 1. CALL TO ORDER

The meeting convened via teleconference at 5:30 p.m. and Mayor Bauters read aloud a statement announcing that the meeting was being conducted by teleconference pursuant to the extension of Brown Act waivers provided for under Assembly Bill 361, as would subsequent meetings so long as the City Council could make findings that it was necessary in order to protect public safety and the Governor's declared emergency remained in effect.

#### 2. ROLL CALL

**Present:** 5 - Mayor John J. Bauters  
Vice Mayor Ally Medina  
Council Member Scott Donahue  
Council Member Dianne Martinez  
Council Member Courtney Welch

#### 3. EX PARTE COMMUNICATIONS

No ex parte communications were reported.

#### 4. PUBLIC COMMENT (on Closed Session Items)

There were no comments made.

#### 5. CLOSED SESSION - CITY OF EMERYVILLE

##### 5.1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: PENDING CLAIMS - Government Code Section 54956.9(d)(2):

5.1.1. ID-2022-462 Claim of Stephanie Merchant - EM2022-05

Attachments: [Stephanie Merchant Claim Form](#)

**A motion was made by Council Member Martinez, seconded by Council Member Donahue, to deny the claim and have the City Manager send a written letter to the claimant. The motion carried by the following vote:**

**Ayes** 5 - Mayor Bauters, Vice Mayor Medina, Council Member Donahue, Council Member Martinez, and Council Member Welch

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

**5.2.1. ID-2022-460** Property: 5890, 5900 and 6150 Christie Avenue  
APNS: 049-1493-003, 049-1493-004 and 049-1493-005  
Agency Negotiators: Adam Politzer, Interim City Manager; John Kennedy, City Attorney  
Negotiating Parties: City of Emeryville and Praxis Development Group/California Landmark Group/Satellite Affordable Housing Associates; EAH Housing; Highridge Costa; The Pacific Companies; Jonathan Rose Companies/Resources for Community Development; and/or Related California/East Bay Asian Local Development Corporation  
Under Negotiations: Direction regarding price and terms of real estate negotiations.

No reportable actions were taken.

**5.2.2. ID-2022-463** Property: 3199 Powell Street (portion of APN 049-1525-002-01)  
Agency Negotiators: Adam Politzer, Interim City Manager; John Kennedy, City Attorney  
Negotiating Parties: City of Emeryville and Hong Kong East Ocean Restaurant, Ltd.  
Under Negotiations: Direction regarding price and terms of real estate negotiations.

No reportable actions were taken.

**6. CLOSED SESSION - CITY OF EMERYVILLE / MANAGEMENT OF EMERYVILLE SERVICES AUTHORITY**

**6.1. PUBLIC EMPLOYEE APPOINTMENT, PUBLIC EMPLOYEE EMPLOYMENT, pursuant to Government Code Section 54957:**

**6.1.1. ID-2022-413** City Manager

No reportable actions were taken.

**7. REPORTING OUT OF CLOSED SESSION**

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

**8. ADJOURNMENT**

The meeting adjourned at 7:58 p.m.

**I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Emeryville City Council / City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency / Management of Emeryville Services Authority.**

**/s/ Sheri Hartz, CMC  
City Clerk / Secretary**

DRAFT