



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

#### Emeryville City Council / City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency 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

---

Tuesday, January 17, 2017

6:00 PM

Council Chambers

---

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

The meeting was called to order at 6:00 p.m.

**Present** 5 - Scott Donahue, John J. Bauters, Dianne Martinez, Ally Medina, and  
Christian R. Patz

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

Mary Murtagh from EAH spoke in favor of the project to be discussed  
under Item 4.2.2.

#### 3. EX PARTE COMMUNICATIONS

No ex parte communications were reported.

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

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

4.1.1. [ID-2017-036](#) California Restaurant Association v. City of Emeryville, U.S.D.C  
Case No. 3:16-CV-066660-JST

An update was provided.

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

4.2.1. [ID-2017-038](#) **Property:** APN 049-1525-002 (Emeryville Marina)  
**Agency Negotiators:** Carolyn Lehr, City Manager; Michael  
Guina, City Attorney  
**Negotiating Parties:** Emeryville Marina, LLC  
**Under Negotiations:** Direction regarding price and terms of

lease.

An update was provided and direction given to agency negotiators.

- 4.2.2.**     [ID-2017-039](#)     **Property:** 3706 San Pablo Avenue / 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:** EAH  
**Under Negotiations:** Direction regarding price and terms of real  
estate negotiations.

An update was provided.

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

- 5.1.**     **ID-2017-044**     Initiation of litigation pursuant to paragraph (4) of subdivision (d) of  
Government Code Section 54956.9: One Potential Case.

An update was provided.

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

City Attorney Michael Guina reported out of closed session as shown  
above.

## **7. ADJOURNMENT**

The meeting adjourned at 6:58 p.m.