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## CITY OF EMERYVILLE

### ACTION MINUTES

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

Members:

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

Authority

#### Special Closed Session Meeting

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Tuesday, June 6, 2017

5:00 PM

Council Chambers

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

The meeting was called to order at 5:04 p.m.

Council Member Patz arrived at 5:06 p.m. and Council Member Medina arrived at 5:08 p.m.

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

There were no comments made.

#### 3. EX PARTE COMMUNICATIONS

Mayor Donahue, Vice Mayor Bauters, and Council Members Martinez and Patz each reported that they met with representatives from SEIU.

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

At 6:19 p.m., City Attorney Michael Guina announced 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 10:05 p.m.

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

- 4.1.1. [ID-2017-376](#) **Property:** 1220 53rd Street, Emeryville, CA  
**Agency Negotiators:** Carolyn Lehr, City Manager; Michael Guina, City Attorney  
**Negotiating Partners:** City of Emeryville, Corporate Child Care Inc., dba Aquatic Park School  
**Under Negotiations:** Direction regarding price and terms of real estate negotiations.

An update was provided. Council Member Medina was recused from participation in this item due to conflicts with her employment.

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

### **5.1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: PENDING CLAIMS - Government Code Section 54956.9**

- 5.1.1. [ID-2017-367](#) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: One Potential Case.

On a 5-0 vote, the Council authorized staff to initiate litigation. The action, defendants and other particulars shall, once formally commenced, be disclosed upon inquiry, unless such disclosure would jeopardize the Agency's service process or settlement negotiations.

## **6. CLOSED SESSION - MANAGEMENT OF EMERYVILLE SERVICES AUTHORITY**

### **6.1. CONFERENCE WITH LABOR NEGOTIATORS, pursuant to Government Code Section 54957.6:**

- 6.1.1. ID-2017-375 **Agency Designated Representatives:** Carolyn Lehr, City Manager; Lisa Lopez, Human Resources Director; Michael Guina, City Attorney  
**Employee Organization:** Service Employees International Union (SEIU), Local 1021

Direction was given to staff. Council Member Medina was recused from participation in this item due to conflicts with her employment.

### **6.2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, pursuant to Government Code Section 54957:**

- 6.2.1. [ID-2017-368](#) Title: City Manager

There was no action taken.

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

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

## **8. ADJOURNMENT**

The meeting adjourned at 10:40 p.m.

**PASSED, Approved and Adopted**

this \_\_\_\_ day of \_\_\_\_, 2017

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**Sheri Hartz, City Clerk/Secretary**

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