



Emeryville City Hall
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CITY OF EMERYVILLE

ACTION MINUTES

City Council Special Closed Session

Members:

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

AMENDED

Tuesday, December 19, 2017

5:00 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 5:00 p.m.

2. ROLL CALL

Present 5 - Mayor John Bauters, Vice Mayor Ally Medina, Council Member Scott Donahue, Council Member Dianne Martinez, and Council Member Christian R. Patz

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 - EXISTING LITIGATION, Pursuant to Government Code Section 54956.9(a):

5.1.1 [ID-2017-773](#) **Andre Carpiaux v. City of Emeryville**, Alameda County
Superior Court Case No. RG17873168

An update was provided.

5.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Government Code Section 54956.9(d).

5.2.1 [ID-2017-774](#) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: **One Potential Case.**

Authorization was given to the City Attorney to initiate litigation.

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

- 5.3.1. [ID-2017-745](#)** **Property:** APNS 049-0618-02-02, 049-0618-029, 049-0618-004 (parking lot behind 1333 Park Avenue)
Agency Negotiator: Carolyn Lehr, City Manager; Michael Guina, City Attorney
Negotiating Parties: Pacific Gas & Electric, City of Emeryville
Under Negotiation: Direction regarding price and terms for real estate negotiations.

A motion was made by Council Member Patz, seconded by Council Member Donahue, to reject the proposal. The motion carried by the following vote:

Ayes: 5 - Mayor Bauters, Vice Mayor Medina, Council Member Donahue, Council Member Martinez, and Council Member Patz

6. REPORTING OUT OF CLOSED SESSION

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

7. ADJOURNMENT

The meeting adjourned at 5:32 p.m.

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

/Sheri Hartz/
Sheri Hartz, City Clerk